



House of Commons
Transport Committee

The future of rail: Improving the rail passenger experience

Sixth Report of Session 2016–17

*Report, together with formal minutes
relating to the report*

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Transport Committee

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Contents

List of acronyms and glossary	3
Summary	5
1 Introduction	7
Our “future of rail” series of inquiries	7
The challenging context for the passenger railway	7
Official measures of rail passenger satisfaction	8
This inquiry	8
This report	9
2 Thameslink, Southern and Great Northern franchise: what went wrong?	10
Size and complexity of the TSGN network	11
Structuring of the revenue aspects of the franchise	12
Problems immediately on handover	12
Early breach of performance benchmarks and the Remedial Plan	15
Poor industrial relations and strike action	16
3 TSGN—lessons for transparency and accountability	21
Could GTR be “stripped of the franchise”?	21
Temporary revised timetable; “official and unofficial industrial action”; and “force majeure”	23
Could a different operator run services more effectively?	26
Compensation for TSGN passengers	28
4 Passenger satisfaction and TOC performance measures	31
Measuring satisfaction: The National Rail Passenger Survey	31
Measuring performance: Public Performance Measure	35
Insufficient focus on overcrowding	35
5 Simpler, more transparent and fairer ticketing	37
Complexity and lack of transparency	37
“Smart” ticketing	41
Part-time season tickets	42
6 Better information for passengers and staff	44
Train companies’ websites and online apps	44
National Rail Enquiries	45
The wider benefits of Wi-Fi	46

Conclusions and recommendations	48
Formal Minutes	55
Witnesses	56
Published written evidence	57
List of Reports from the Committee during the current Parliament	63

List of acronyms and glossary

ATOC—**Association of Train Operating Companies**, industry body representing passenger train operating companies.

CaSL—**Cancelled and Significantly Late**, official industry measure of the percentage of train services cancelled, in full or in part, or delayed by 30 minutes or more.

DfT—**Department for Transport**, government department responsible for rail franchising.

DOO—**Driver Only Operation**, operating system under which train doors are opened and closed by the driver of the train, using cab-mounted cameras and display screens to ensure that it is safe to do so, rather than by an on-board Conductor or Guard.

DOR—**Directly Operated Railways**, until recently a company wholly owned by the DfT, set up to act as “operator of last resort” should a rail franchise agreement with a Train Operating Company fail.

Force majeure—a contractual term, commonly used in rail franchise agreements, for events that lead to an operator failing to meet contractual performance obligations, but which are beyond the operator’s control.

GTR—**Govia Thameslink Railway**, the Train Operating Company responsible for delivering services on the Thameslink, Southern and Great Northern network.

Network Rail—an arm’s length government body, responsible for running, maintaining and developing rail tracks, signalling, bridges, tunnels, level crossings and most railway stations.

NRE—**National Rail Enquiries**, the central source of information for rail passengers, run by ATOC.

NRPS—**National Rail Passenger Survey**, official measure of rail passenger satisfaction, conducted as a national paper survey of passengers’ satisfaction with individual journeys twice per year.

ORR—**Office of Rail and Road**, the independent safety and economic regulator of the railway.

PiXC—**Passengers in Excess of Capacity**, the DfT’s official measure of overcrowding on trains.

PPM—**Public Performance Measure**, a headline measure of Train Operating Company performance. PPM measures the percentage of trains arriving at their destination within five minutes of schedule (for regional and commuter trains) or 10 minutes of schedule (for longer distance trains).

Remedial Plan—an agreement struck between a Train Operating Company and the DfT, where the Train Operating Company has breached contractual performance benchmarks. Remedial Plans include actions the operator agrees to take to improve performance, and may include revisions to the operator’s contractual performance benchmarks.

RDG—Rail Delivery Group, industry-wide body representing passenger and freight train operators, Network Rail and rolling stock companies.

RMT—National Union of Rail, Maritime and Transport Workers, which represents the interests of railway staff.

RSSB—Rail Safety and Standards Board, a not-for-profit company owned by industry stakeholders, RSSB aims to support the rail industry in improving safety and performance on the railway.

Smart ticketing—technological alternatives to paper rail tickets, including smartcards, such as London’s Oyster card, and “contactless” payment via bank cards and smart phones.

Southern Railway/Southern—part of the wider Thameslink, Southern and Great Northern franchise run by GTR, Southern services cover a large part of the rail network in south-east England, including the Sussex coast, Surrey, south London and parts of Kent.

Thameslink Programme—a major, government-sponsored rail infrastructure programme, including substantial redevelopment of London Bridge station, intended to “transform north-south travel through London”. The programme commenced in 2015 and is due for completion in 2018.

TfL—Transport for London, the capital’s transport authority, responsible for London’s buses, London Underground, Docklands Light Railway, London Overground, TfL Rail and London Trams.

TOC—Train Operating Company

Transport Focus—independent transport user watchdog. Transport Focus is an executive non-departmental public body, sponsored by the DfT.

TSGN—Thameslink, Southern and Great Northern franchise

Summary

In this inquiry, we set out to examine the main aspects of rail journeys from the perspective of the passenger: from planning a journey, arriving at a station, making the journey, and any necessary post-journey information. Inevitably, given the current situation, the majority of the evidence focussed on the level of service on the Thameslink, Southern and Great Northern (TSGN) rail franchise. This is reflected in our Report.

The level of service for many passengers on the TSGN franchise, particularly the troubled Southern Railway brand, has been woeful for more than a year. The initial structuring of the franchise, inadequate planning, weaknesses in the franchise handover process, infrastructure and rolling stock failures, mismanagement, poor industrial relations and the current bitter and prolonged industrial dispute have all contributed to an unacceptable level of service for TSGN's long-suffering passengers. The Department for Transport (DfT) should consider how these passengers can be appropriately compensated, as a matter of urgency.

The DfT must “get a grip” on the monitoring and enforcement of Govia Thameslink Railway's (GTR) franchise agreement to deliver services on the TSGN network. It must expedite its assessments of GTR's *force majeure* claims, and be prepared to restructure or terminate the agreement should GTR be shown to be in default. It is unacceptable that the process should be delayed by GTR's tardiness in supplying the information necessary to support its *force majeure* claims. There is no valid reason why the necessary assessments should not be made by early November 2016.

It is simply not credible for the DfT to continue to claim that no other operator could do a better job; if it is the case, it is a consequence of the structuring of the franchise, for which the Department is ultimately accountable.

In the interests of transparency and scrutiny, the DfT must ensure that data on GTR's performance against its contractual obligations are made publicly available—our lack of access to these data during the inquiry was totally unacceptable. It hindered our work and delayed publication of this Report.

The DfT has wider lessons to learn about the structuring, monitoring and enforcement of franchise agreements, and the planning and management of major rail infrastructure projects. The TSGN debacle must never be repeated.

The passenger railway appears, according to official measures, to be performing relatively well for passengers—but headline measures of passenger satisfaction and train operating company (TOC) performance do not accurately reflect the real experience of many passengers, particularly commuters on overcrowded parts of the network. The measures should be reformed, to reflect these real experiences more accurately, and to help restore trust in the industry. The National Rail Passenger Survey (NRPS) should be carried out more frequently, using a broader sample of passengers and non-users of the railway. The current headline measure of TOC performance, the Public Performance Measure (PPM), produces perverse incentives for TOCs to take actions—most obviously

missing out intermediate stops on a train's journey—that are clearly not in the interests of passengers. PPM should be abandoned and replaced with an updated “right time” measure that takes into account punctuality at all stops.

The Department's official statistics on overcrowding should be redesigned to more effectively identify train services operating at substantially over capacity. The DfT must develop a more coherent strategy for tackling overcrowding, including by incentivising TOCs, through franchise agreements, to alleviate the worst examples of persistent overcrowding on particular services.

Parts of the rail ticketing system are overly complex, opaque and unfair—a situation that has persisted for at least a decade. Progress towards a network-wide “smart ticketing” solution, and the introduction of part-time season tickets, has also been far too slow. In the short to medium term the DfT and the Office of Rail and Road must use their respective franchising and regulatory powers more rigorously, and work together to resolve ticketing issues. In the longer term, changes to the rail sector's regulatory structures, and consumer protections, may be required—we will examine this further in a forthcoming inquiry.

The advent of the internet and the provision of real-time information has brought about improvements in the provision of information to rail passengers, but there is considerable scope for improvement. National Rail Enquires (NRE) has lagged behind other websites and apps in terms of its design, functionality and effective use of available data. We will keep a close watch on the industry's efforts to raise standards.

While it is important to ensure that support and advice for passengers is available from railway staff during journeys, the most important, and potentially transformative, factor in improving information for all passengers and railway staff will be expanding Wi-Fi coverage across the rail network. The benefits of reliable Wi-Fi on the railway are manifold: more enjoyable journeys for leisure passengers; more productive journeys for business passengers; and the potential for reliable information, in real-time, to the benefit of all rail users and railway workers. The sector urgently needs a clear plan for investment in Wi-Fi technology on the railway.

1 Introduction

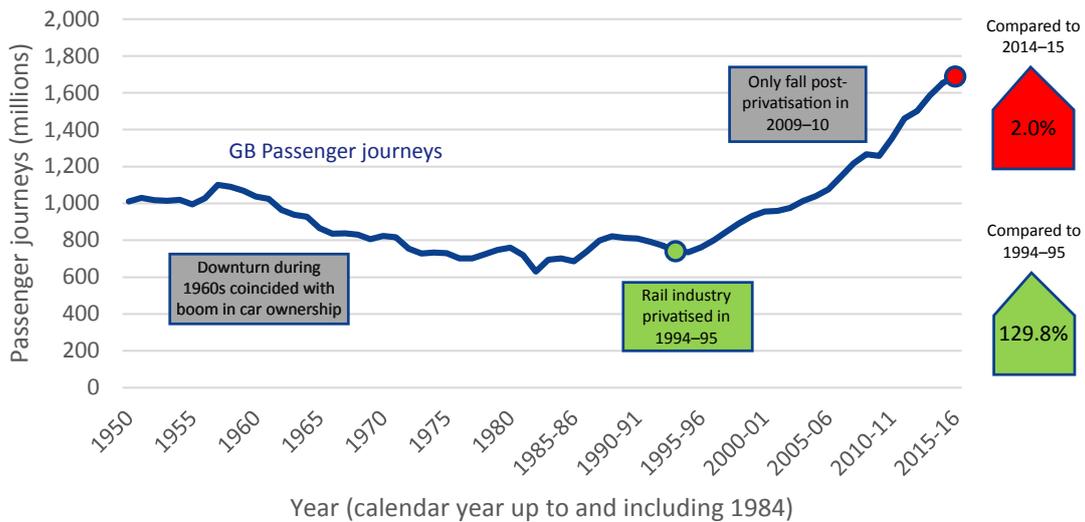
Our “future of rail” series of inquiries

1. During this Parliament we are conducting five inter-related inquiries into “the future of rail”. Our Report on proposed new rail technology, particularly updated signalling and rail traffic management systems as part of a “digital railway”, will be published shortly. We are currently considering the extent to which the rail franchising system is achieving its policy objectives. We will shortly go on to go examine the railway’s safety record and, in the longer term, the strategic issues of rail finance and governance.¹

The challenging context for the passenger railway

2. The passenger railway faces a huge capacity challenge—the number of passenger journeys has more than doubled over the last two decades, while the size of the physical network has barely increased at all.

Figure 1: Rail passenger journeys in Great Britain, 1950–2015/16



Source: Office of Rail and Road, *Passenger Rail Usage: 2015–16 Q4 Statistical Release*, May 2016

3. The Government is investing heavily in infrastructure and rolling stock programmes—including a £3.8 billion grant for Network Rail in 2014/15, for example. Train Operating Companies (TOCs), however, face a difficult financial environment. Day-to-day running costs are now broadly met by the TOCs—public subsidies are largely balanced by the franchise premia paid by TOCs to the Government.² According to industry figures, TOCs’ profit margins have been squeezed.³ The trend under successive governments has been for passengers to contribute an increasing proportion of the rail sector’s income through ticket sales. Passengers now contribute more than 70% of the industry’s entire income.⁴

1 More information on our recent and current inquiries is available on our webpages: www.parliament.uk/transcom
 2 Office of Rail and Road, *GB rail industry financial information 2014–15*, March 2016
 3 Rail Delivery Group, *Britain’s Future: Britain’s Railway*, February 2015
 4 Office of Rail and Road, *GB rail industry financial information 2014–15*, March 2016

Official measures of rail passenger satisfaction

4. According to official measures, the railway appears to be performing relatively well for passengers. The official measure of overall passenger satisfaction remains high—around 80% of rail passengers are either very or fairly satisfied according to the official measure, the National Rail Passenger Survey (NRPS). Yet this overall average masks some stark variations between London, regional and long-distance routes, across different TOCs, and between business, leisure and commuter passengers.⁵ In addition, evidence from passengers suggests a high level of scepticism about how these rail passenger satisfaction figures, and other measures of TOC performance, are arrived at. Satisfaction amongst rail commuters is at a five-year joint low, according to the latest edition of the NRPS, but even the worst-performing commuter TOCs received satisfaction scores of around 70% in the last NRPS (see chapter 4).

This inquiry

5. Our intention in this inquiry was to answer some seemingly straightforward questions:

- what do passengers need and expect from the railway?;
- to what extent are those needs and expectations being met?;
- how appropriate are current measures of passenger satisfaction and TOC performance?; and
- how effective are the mechanisms for holding TOCs to account for poor passenger experience?⁶

Our aim was to identify and recommend achievable actions that will enhance passengers' experiences of train travel.

6. We received well over 200 written submissions from the range of rail industry stakeholders, but mostly from individual rail passengers. The large majority of submissions from individuals were from angry and exasperated customers of Southern Railway, which has been unable to provide an acceptable level of service because of a range of planning, management, infrastructure and industrial relations problems. Several Members of Parliament relayed their own, and hundreds of their constituents', concerns about the performance of Southern.⁷

7. We heard oral evidence from rail user groups, consumer bodies (London TravelWatch; Transport Focus; and Which?), the independent regulator (the Office of Rail and Road), TOCs (including Govia Thameslink Railway, which delivers the wider Thameslink, Southern and Great Northern rail franchise (TSGN) that includes Southern Railway), the National Union of Rail, Maritime and Transport Workers, Network Rail and the Department for Transport.⁸

5 For example, Grahame Mitchell ([RPE0041](#)); Iain Kernaghan ([RPE0080](#)); Alasdair Lowrey ([RPE0089](#)); Michelle Christensen ([RPE0101](#))

6 For full terms of reference, see www.parliament.uk/transcom

7 We are particularly grateful to Maria Caulfield MP; Sam Gyimah MP; Caroline Lucas MP; Tom Tugendhat MP; and Henry Smith MP.

8 A full list of witnesses is set out at the end of this Report.

This report

8. The next two chapters of this Report examine the very serious problems being experienced by many Southern passengers on the wider TSGN franchise, and the lessons that need to be learned. We consider our broader terms of reference in chapters 4–6. The current problems on Southern, and some of the wider issues examined in this Report, emphasise key barriers to the railway functioning effectively for passengers within the existing structures of the rail sector. We are picking up these themes in our current inquiry into rail franchising and will continue to address more fundamental questions about the structure of the industry in a forthcoming inquiry into the financing and governance of the railway.

2 Thameslink, Southern and Great Northern franchise: what went wrong?

9. Much of the severe disruption affecting passengers on the TSGN franchise has been due to the effects of the major infrastructure works entailed in the Thameslink Programme, including the substantial redevelopment of London Bridge station. The inevitable level of disruption has been exacerbated by a combination of the sheer size of the franchise; inadequate planning and management on the part of the franchise holder, Govia Thameslink Railway (GTR); poor industrial relations, including a bitter and long-running industrial dispute; and a number of unfortunate infrastructure failures, such as the emergence of a “sink hole” under the railway line at Forest Hill.⁹

10. Meanwhile passengers, many of whom have paid thousands of pounds for season tickets, have often been unable to go about their essential business.¹⁰ Many have been routinely late for work, and some have claimed that their jobs have been put at risk. Parents have often been unable to collect their children from childcare or arrive home in time to help with homework or put children to bed at night.¹¹ Passengers are justifiably frustrated and angry.

11. On the day before our oral evidence session with the newly appointed Rail Minister, Paul Maynard MP, performance on some sections of GTR’s diverse network was extremely poor, with less than a third of services on the Southern Mainline arriving within five minutes of schedule and just 12% arriving on time:

Table 1: GTR daily performance report, 19 July 2016

Route	PPM	Right Time
Great Northern	39.96%	19.34%
Gatwick Express	41.73%	20.47%
Southern Metro	32.78%	15.91%
Southern Mainline	26.66%	12.17%
Southern Coastway	66.49%	35.09%
Thameslink	56.67%	34.18%
Total	42.96%	22.66%

Key

PPM: % of trains arriving at their destination within five minutes of their scheduled time

Right Time: % of trains arriving at their destination at their scheduled time

Source: ‘Daily performance report’, Southern Railway, accessed 20 July 2016

9 [“South London sinkhole causes rail misery in evening rush hour”](#), *The Guardian*, 18 July 2016

10 An annual season ticket from Brighton to London costs at least £3,764, for example.

11 See, for example, [“Father loses his job after Southern Rail cancels his train THREE DAYS in a row because too many workers are calling in sick”](#), *Daily Mail*, 2 June 2016

Mr Maynard, who had been in post as the responsible DfT Minister for a matter of days, told us that he “immediately and wholeheartedly” acknowledged that the level of service on Southern was “unacceptable”.¹² Below we consider the range of issues that led to this woeful situation.

Size and complexity of the TSGN network

12. The current TSGN franchise combines the previous Southern (including Gatwick Express) and Thameslink/Great Northern franchises, including First Capital Connect services. The constituent parts of the franchise continue to run as separately branded operations, but under a single franchise agreement with GTR. It is the largest franchise ever let by the DfT—it yields the largest income, runs the most trains and employs the most staff.¹³ Journeys on the franchise’s network account for about 20% of all passenger rail journeys in the UK.¹⁴ It covers a huge geographical area from the Sussex south coast, to central London via the Surrey and south London suburbs, to towns and cities as far north as King’s Lynn in Norfolk.¹⁵

13. Some services under the current franchise agreement commenced in September 2014, replacing First Capital Connect’s services. A small number of Southeastern services transferred into the franchise in December 2014. The bulk of Southern and Gatwick Express services transferred from July 2015. The agreement runs until September 2021.¹⁶

14. Witnesses told us that, with hindsight, amalgamating a number of existing brands into a single, highly complex and mammoth franchise was a significant error on the part of the DfT. Chris Fribbins of the rail user group, Railfuture, told us that that contracting a single operator to provide passenger services over such a large, diverse and busy part of the rail network was “a bit ambitious”.¹⁷ The Association of Public Transport Users’ (APTU) view was more nuanced, acknowledging both pros and cons in having a single operator; however, Neil Middleton, Chairman of APTU, which represents passengers on Thameslink services, believed that there may be a case for once again splitting TSGN into smaller, more manageable franchises, once the lessons of the current situation have been fully learned.¹⁸

15. Bernadette Kelly, the DfT’s Director General, Rail Group, confirmed that:

[...] when we look at the shape and nature of future franchises, I do not think that we would readily create another one that had this level of challenge and complexity in it.¹⁹

16. We welcome the Department’s acknowledgement that, in hindsight, it was a mistake to amalgamate four existing railway brands into one huge, diverse and highly complex rail franchise delivered via a single operator, on a part of the network undergoing very substantial infrastructure works. The sheer size and complexity of the franchise has

12 [Q314](#)

13 *Railway passenger franchises*, [SN01343](#), House of Commons Library, August 2015

14 Office for Road and Rail, *Passenger Rail Usage: 2015–16 Q4 Statistical Release*, May 2016

15 ‘[Thameslink, Southern and Great Northern franchise map](#)’, DfT, accessed 7 September 2016

16 ‘[Go-Ahead joint venture awarded TSGN franchise](#)’, Go-Ahead Group press release, 23 May 2014

17 [Q19](#)

18 [Q19](#)

19 [Q366](#)

seriously hindered effective monitoring and enforcement of the contract (see chapter 3). Our current rail franchising inquiry will consider how this came about, and the broader lessons for the structuring of future franchises.

Structuring of the revenue aspects of the franchise

17. With such substantial infrastructure works planned during the franchise period, the DfT structured aspects of the franchise in a way that protected the operator from excessive financial risk. It was not thought appropriate in the circumstances for GTR to bear the revenue risks of a franchise that would inevitably experience significant and prolonged disruption to services. Revenue from ticket sales on the TSGN network therefore passes directly to the Government, which bears all of the financial risk of revenue lost through compensation claims as a result of the disruption.²⁰

18. The bulk of GTR's income comes from an annual DfT management fee in the order of £1 billion, which is intended to cover operational costs and provide a small operating margin.²¹ While the arrangement is legally a franchise agreement, the revenue aspects are akin to a management contract or concession, such as those deployed by Transport for London and Merseyrail, but on a much larger scale and managed centrally from Whitehall rather than through more locally accountable transport authorities.²²

19. The DfT put in place an incentive regime for GTR to meet quality standards around customer experience, with extra payments for meeting key performance milestones and financial penalties for missing contractual performance benchmarks, including for the proportion of delayed and cancelled trains.²³

Problems immediately on handover

Underestimation of the effects of the Thameslink programme

20. It is clear that the effects on passenger services of the redevelopment of London Bridge station and the wider Thameslink Programme were substantially underestimated.²⁴

21. Charles Horton, Chief Executive Officer of GTR, emphasised that the redevelopment of London Bridge station effectively involved “digging up the railway [...] while continuing to operate services”. He confirmed that it was widely understood across the rail sector that the effects on passenger services had been substantially underestimated.²⁵ Dyan Crowther, GTR's Chief Operating Officer, reported that the planning assumption, supplied to GTR by the DfT, was that the works would result in a 1% reduction in PPM (Public Performance Measure, the percentage of trains reaching their destination within five or ten minutes of schedule—for a further discussion of PPM, see chapter 4). As it

20 [“Go-Ahead joint venture awarded TSGN franchise”](#), Go-Ahead Group press release, 23 May 2014

21 [Q195](#) [Charles Horton]

22 [“Go-Ahead joint venture awarded TSGN franchise”](#), Go-Ahead Group press release, 23 May 2014. For a discussion of devolved “management contract” approaches see, Campaign for Better Transport, [Going Local: Lessons for rail policy from London Overground and Merseyrail](#), February 2013

23 [Railway passenger franchises, SN01343](#), House of Commons Library, August 2015

24 [Q19](#)

25 [Q140](#)

turned out, the reduction in PPM was 7%. The number of additional “delay minutes” as a consequence of the works was forecast to be 10,000 per year; the actual effect was 10,000 additional delay minutes *per week*.²⁶

22. The effects on Thameslink, Southern and Great Northern’s (TSGN) passengers of the major infrastructure works entailed in the Thameslink Programme, particularly the redevelopment of London Bridge station, were very substantially underestimated. The greater than anticipated effects have been a key cause of the unacceptably poor service experienced by many of TSGN’s passengers. The planning assumptions supplied to the operator by the DfT were wildly inaccurate, which raises serious questions about the Department’s competence to run an effective franchising programme. We are continuing to examine these broader issues in our current rail franchising inquiry.

23. We recommend that the Department for Transport (DfT) lead a review, in conjunction with Network Rail, the Association of Train Operating Companies (ATOC) and an appropriate passenger group, of the lessons learned for maintaining acceptable levels of passenger service from the planning of the Thameslink Programme. The review should ascertain how the planning assumptions for the franchise were so poorly forecast. The report should set out a clear plan to better anticipate and avoid the unacceptably severe levels of disruption to passenger rail services during future major infrastructure works. We recommend that the review be undertaken as a matter of urgency and report its findings before summer 2017.

Inadequate staffing levels

24. At the commencement of the current franchise agreement, GTR immediately found that it did not have enough staff to run services as planned. This exacerbated the level of disruption, with many planned services delayed or cancelled because of train crew shortages. Initially, a shortage of drivers was particularly problematic. Charles Horton told us that, “At the start of the franchise, we had fewer drivers than we anticipated based on the evidence that we had in the data.”²⁷

25. We wanted to know how it could be the case that a TOC could bid for, and be awarded, the largest rail franchise in the UK and then discover that it had insufficient drivers to deliver the contracted services. Mr Horton reiterated that GTR had made its staffing assumptions on information provided by the previous franchisees. On handover, GTR expected to take on 650 drivers; as it turned out there were only 607 drivers ready to drive GTR’s trains.²⁸

26. Charles Horton and Dyan Crowther said that the shortfall came about due to a higher than anticipated turnover of drivers in the period before handover of the franchise and, at the commencement of the new franchise, lower than anticipated “driver productivity”.²⁹ Pushed further on how such an apparent failure of basic due diligence could have come to pass, Mr Horton insisted that:

[...] we are given the number of drivers we inherit at the start of a franchise. There were fewer than we expected and we immediately took

26 [Q140](#)

27 [Q144](#)

28 [Q149](#) [Dyan Crowther]

29 [Qq149–59](#) [Dyan Crowther and Charles Horton]

action to put in place additional driver training and resources. We opened a new training centre. We tripled the number of courses. We put in place a significant programme of recruitment, and we have now established the UK's biggest driver training programme. We could not have taken action more quickly than we did. The challenge for us, of course, is that, given that it takes 14 months to train a driver, there is no magic answer and no magic wand I can wave in these circumstances.³⁰

27. The National Union of Rail, Maritime and Transport Works (RMT), representing a range of staff on the TSGN franchise, reported substantial problems around staffing quotas for other roles. Mick Cash, General Secretary of the RMT, told us that there was also a significant shortage of on-board Conductors.³¹ Paul Cox, RMT's South East Regional Organiser, said that there were 458 GTR Conductors at the commencement of the franchise—in the RMT's view this was some way short of being sufficient.

28. The union reported that it had reached an agreement with GTR in February/March 2016 that the number of Conductors should increase, first to 470 then to 490. The RMT told us that the agreed increase had not materialised:

They gave us their word that they would do it by May [2016] at the latest. They had sufficient time to train people up. [...] but they never materialised. Then in May when the annual leave period started, when people take two blocks of summer leave between May and the end of September, they were still working to an establishment of 472 [...]. They had some people in training but the whole gap between what was a realistic establishment of Conductors and what was actually available was incredible, to be perfectly honest.³²

29. The Minister indicated that ensuring smoother handovers from one TOC to another, with all the necessary and robust management information, including around staffing levels, was a key area for improvement:

[...] I want to look particularly at franchise handover procedures. What was and was not foreseen? How could it be done better? As we progress with franchising, there may well be more handovers between franchise operators. I want to make sure that I fully understand whether everything was done that could have been done at the time of handover to make it as smooth as possible.³³

30. It is unacceptable that Govia Thameslink Railway (GTR) was awarded by far the busiest rail franchise in the UK only to immediately discover that it had insufficient staff to deliver the contracted rail services. This reveals serious inadequacies in the process for handing over a franchise from one franchisee to another. Any potential staffing issues should have been clearly foreseeable.

31. We welcome the Minister's intention to consider improvements to the processes for handing over rail franchises from one operator to another, ensuring that the new

30 [Q158](#)

31 [Q86](#)

32 [Q89](#)

33 [Q366](#)

operator has access to the robust information it needs to run an effective service for passengers from day one of its operations. We recommend that the Government set out in its response to this Report its analysis of the problems at handover of the current TSGN franchise and the work it plans to undertake to ensure that these problems are avoided in future franchise handovers, particularly in relation to ensuring appropriate staffing levels at the commencement of operations. We will monitor progress towards improving franchise handover processes in our ongoing inquiry into rail franchising.

Early breach of performance benchmarks and the Remedial Plan

32. In July 2015, the DfT gave notice to GTR that it had breached contractual benchmarks for service cancellations on all parts of its network other than Great Northern. While the effects of the infrastructure works, and Network Rail’s part in this, were acknowledged as one of the root causes of the breach, it was found that a range of other rolling stock and staffing problems had also contributed to the breach of contract, confirming some of the problems described above:

- lower than anticipated numbers of qualified drivers inherited from the previous franchisees;
- insufficient drivers in training to meet future resource requirements at the start of the franchise;
- higher than anticipated driver turnover;
- inherited backlog in driver training for engineering projects and route knowledge;
- unsustainable levels of rest day working also leading to significantly higher than anticipated “banked days”;
- Clerkenwell tunnel flooding and the resulting hidden damage to [train] units not immediately obvious but ultimately attributable to water ingress;
- inherited door system and traction motor failures on the class 319; and
- incremental impact of unexpected levels of failures on a small number of train systems in the class 387/1 introduction.³⁴

33. In February 2016, GTR agreed to implement a “Remedial Plan” to address these problems, including by maintaining a specific number of trainee drivers and driver managers; appointing several senior managers, including a “Business Excellence Improvement Manager”; and actions to address specific rolling stock failures.

34. The Remedial Plan, which was made public (albeit with significant redactions) in May 2016, set out revised contractual cancellation performance benchmarks, the practical effect of which has been to allow GTR, while taking the above remedial actions over a number of months, to cancel a greater proportion of its services without breaching its franchise agreement (see chapter 3).³⁵

34 Govia Thameslink Railway, [Remedial Plan](#), February 2016

35 Govia Thameslink Railway, [Remedial Plan](#), February 2016 (revised cancellation benchmarks are set out in Appendix A)

Poor industrial relations and strike action

35. Notwithstanding GTR's Remedial Plan, its PPM levels had increased from 73.2% in December 2015 to 83.9% by March 2016, suggesting that GTR, and other stakeholders, had begun to improve on some of the issues discussed above.³⁶ However, from April 2016 disruption was exacerbated by industrial disputes, culminating in several strike days by members of the RMT. The union initially balloted members over strike action in relation to some of the staffing issues described above. There are also ongoing disputes between the union and GTR over "rest day working" (overtime) and about proposed closures of ticket offices.³⁷ The then Minister, Claire Perry MP, acknowledged on 11 July that GTR's approach to industrial relations had been "poor".³⁸

Driver Only Operation

36. The dispute that ultimately led to official strike action, and at time of writing remains unresolved, is over GTR's extension of "Driver Only Operation" (DOO) on a greater proportion of its services. DOO entails the driver of the train, rather than an on-board Conductor, having responsibility for opening and closing the doors at stations, using cab-mounted cameras and monitors to check that it is safe to do so.

37. DOO has been in use on a significant and increasing proportion of the rail network since the 1980s. Around 30% of passenger trains are now operated solely by the driver of the train.³⁹ DOO is widely considered to be "entirely normal" on many routes in conjunction with modern rolling stock.⁴⁰ GTR is introducing new class 700 trains into service across its network; these new trains are fully DOO-compatible.⁴¹

38. The 2011 independent study on value for money in the rail sector, *Realising the Potential of GB Rail* (the McNulty report) recommended that, "the default position for all services on the GB rail network should be DOO with a second member of train crew only being provided where there is a commercial, technical or other imperative." The report noted that, where DOO operates:

The driver must be able to see the whole train—on curved platforms a camera and screen, or station dispatch staff, are required. The driver must also be able to communicate with the signaller from the cab of the train.⁴²

39. In March 2012, the DfT endorsed the findings of the McNulty report, stating that:

The rail industry and the unions now need to consider how working practices could become more efficient. One example is the scope, facilitated by new communications technology, to move more train services to driver-only operations where appropriate. [...] There will be cases where a second

36 [ORR, 'Disaggregated Public Performance Measure \(PPM\), Right Time, Cancellations and Significant Lateness \(CaSL\) for Govia Thameslink Railway', accessed 10 October 2016](#)

37 See, for example, "[Southern rail conductors plan further strike action](#)", *BBC News*, 14 June 2016

38 BBC Radio 4, *Today*, 11 July 2016

39 [Realising the Potential of GB Rail: Final Independent Report of the Rail Value for Money Study](#), May 2011, section 12.1.5

40 See, for example, "[The pros and cons of Driver Only Operation](#)", *Rail Magazine*, 24 June 2015

41 "[First GTR Class 700 enters passenger service](#)", *Rail Technology Magazine*, 24 June 2016

42 [Realising the Potential of GB Rail: Final Independent Report of the Rail Value for Money Study](#), May 2011, section 12.1.5

member of staff is desirable for commercial, technical or safety reasons, but more widespread use of driver-only operation could assist industry efforts to reduce costs and deliver better value for money for passengers.⁴³

40. Alongside the introduction of DOO for train doors, GTR is replacing Conductors and Revenue-control Inspectors and replacing both roles with a new role of “On-Board Supervisor” (OBS). By relinquishing the narrow responsibility for opening and closing train doors (Conductors) and control of fare evasion (Revenue-control Inspectors), GTR’s intention is that the OBSs will be freed up to undertake a greater range of tasks, including checking and selling tickets and greater interaction with passengers, including provision of information and assistance.⁴⁴

41. The rail unions have consistently and vociferously opposed DOO and related changes to the role of Conductors. The RMT has conducted strikes on Southern Railway on nine days since April 2016, substantially affecting GTR’s performance. On 22 September, the union announced plans for a further 14 strike days in October, November and December 2016.⁴⁵ Throughout the period since April 2016, GTR has maintained that unofficial industrial action has occurred, leading to delays and cancellations to GTR services. GTR pointed to a doubling in sickness absence since April 2016.⁴⁶ The RMT disputes that this increase is driven by “unofficial industrial action” and points to the increased pressures on Conductors as one reason for the increased levels of sickness (see chapter 3).⁴⁷

42. The RMT’s key stated concern about the effect of the extension of DOO, and the introduction of the OBS role, on GTR services is about passenger safety. The union is concerned that the new OBS role will not, unlike the current Conductor role on some non-DOO services, be “safety critical”—it claims that, while the OBS will receive safety training, their presence on the train will not be considered essential, and trains can be dispatched without them on board. Therefore the RMT argues that, on DOO services, there is no *guarantee* of a second staff member on the train to deal with emergency incidents such as fires and suspect packages.⁴⁸

43. In June 2016, the RMT produced a “dossier” listing 10 serious incidents since 2011 at the “passenger/train interface”. The union reported that eight of these incidents—including passengers falling into the gap between train and platform and passengers being trapped by the doors and dragged along the platform—had occurred where DOO was in operation. It also listed 11 incidents in which a Conductor had proven critical in an emergency situation, including where a driver had been incapacitated by a severe electric shock and a number of derailment incidents.⁴⁹

44. Official rail industry studies, by the Rail Safety and Standards Board (RSSB) and the ORR, have broadly endorsed the safety of DOO. The RSSB recently issued a statement that

43 Department for Transport, [Reforming our Railways: Putting the Customer First](#), Cm 8313, March 2012, para 4.77

44 “RMT strike action”, Southern Railway press release, 19 April 2016

45 “Southern Railways travellers face more strikes”, *BBC News*, 22 September 2016

46 [Q174](#) [Charles Horton]

47 [Q99](#) [Paul Cox]

48 RMT, [Govia Thameslink Railway dispute—the facts](#) [updated 2 August 2016]

49 RMT, [The Safety-Critical Role of the Guard: A dossier on the dangers of driver-only operation](#), June 2016

its research had found “no evidence to suggest that there is an increased risk of harm to passengers where drivers operate powered doors, provided the correct procedures have been followed”.⁵⁰ The ORR has made similar statements.⁵¹

45. Despite this, the RMT continues to claim that GTR, supported by the DfT, is intent on forcing through the expansion of DOO without due regard to potential safety implications. It claimed that:

[...] although there have been pronouncements on the subject [of DOO and safety] by various national industry bodies, such as the Rail Delivery Group and the Rail Safety and Standards Board, no effort whatsoever has been made by the industry and government to sit down with the unions on a national basis to discuss how best to safeguard passenger service and safety and seek our views [...] no forum exists to discuss staffing issues on an industry-wide basis.⁵²

It emphasised that a senior DfT official, Peter Wilkinson, Managing Director of Passenger Services, had made what it regarded as inflammatory statements in February 2016, which appeared to indicate that the Department was prepared to force through the changes in the face of industrial action.⁵³

46. The rail unions have long-held concerns about DOO in relation to future staffing levels on the railway. The RMT included in its submissions a number of comments from a “whistleblowing GTR manager”, including that: “History has shown that once the operational side of the Conductor’s role has been removed it is only a matter of time before the second member of staff is removed completely”. The comments refer to Thameslink and Southern metro services where DOO has already been introduced, claiming that “those services now almost never have a second member of staff.”⁵⁴

47. GTR state that they have made job and pay guarantees to every Conductor for the life of its franchise, including above-inflation pay offers, and a recent offer of a one-off payment of £2,000 for each staff member in the new OBS role.⁵⁵ GTR and the RMT have, however, failed to reach an agreement to end the damaging industrial action. It has recently been reported that the RMT has reached an agreement with another TOC (ScotRail) that no train will operate without a second member of staff on board.⁵⁶ We understand that GTR’s approach has been to try to identify a set of “exceptional circumstances” in which a driver can operate the train without a second member of staff on board, but this issue has not yet been resolved between the RMT and GTR.

48. GTR told us that, while OBSs would not be “safety critical”—i.e. DOO trains could be dispatched without an OBS—they would be “trained to deal with emergencies, to deal with evacuations from the train and to deal with the on-board emergency equipment we

50 [“No evidence of increased risk of passenger harm from DOO, RSSB research finds”](#), RSSB statement, 11 August 2016

51 See, for example, [“RMT publishes danger ‘dossier’ over axing guards, but regulator disagrees”](#), *Surveyor Transport Network*, 15 June 2016

52 RMT (RPE0247)

53 [“DfT official says train drivers who oppose Government reforms ‘can get hell out of my industry’”](#), Croydon Advertiser, 22 February 2016

54 RMT (RPE0247)

55 Southern Railway, [‘GTR to implement plans after talks end without deal’](#), accessed 10 October 2016

56 [“RMT members accept ScotRail deal over guards”](#), BBC news, 5 October 2016

have on trains in those circumstances.” In relation to workforce numbers, it was prepared to “guarantee the number of On-Board Supervisors to the end of our franchise [2021]”. The company emphasised that the introduction of the OBS role would not entail any compulsory redundancies during that period.⁵⁷

49. We asked whether the DfT could give a longer term commitment on workforce numbers. Bernadette Kelly noted that the previous Transport Secretary (Rt Hon Sir Patrick McLoughlin MP, replaced as Secretary of State by Rt Hon Chris Grayling MP on 14 July) indicated that he would:

[...] be willing to have a conversation about the long-term investment that train operating companies in general make in the future workforce of the railway, but very much on the basis that the first priority was for GTR and the RMT to resolve this dispute, in order to stop the disruption happening.⁵⁸

50. On a number of occasions the then DfT Rail Minister, Claire Perry MP, who was a Minister until 15 July, emphasised that it was not for the Government to enter into negotiations over working practices or arbitrate industrial disputes, but later, during a Westminster Hall debate on 13 July, she said:

I do want to meet the unions and the management. I have been advised repeatedly to stay out of it—hell no! I want to sit people around the table and say, “What the hell is going on? Let’s try to sort this out”.⁵⁹

51. Asked what he, and the new Transport Secretary, would do to facilitate a resolution to the dispute, Paul Maynard MP said that the Department continued to urge the RMT and GTR to “keep talking”. He told us he was “moderately perplexed as to what the RMT’s genuine concerns are, but I believe that they can be resolved”. He was satisfied that the Department had “given all the assurances on workforce investment it could”. Pushed on whether he and the Secretary of State would play a more active role than their predecessors in negotiations, he would only commit to “take advice” on what was possible.⁶⁰

52. The rail unions’ opposition to Driver Only Operation (DOO), on both safety and staffing grounds, is long-standing and well known. The industry and Government’s commitment to it from an efficiency perspective has long been equally apparent. Whilst the dispute can ultimately only be resolved through negotiation between GTR and the RMT, given the Department’s unusually direct involvement in the TSGN franchise it should take a greater degree of responsibility for fostering productive negotiations. We therefore urge the new Rail Minister and Secretary of State to engage more actively and substantively with the rail unions’ safety and workforce-related concerns in relation to the expansion of DOO on the TSGN franchise, as a matter of urgency. Whilst the RMT rightly has an interest in ensuring the safety of its members and passengers, responsibility for monitoring the safety of the railway lies with the RSSB and the ORR—both of these organisations have broadly endorsed the safety of DOO. Prior to, and during, the RMT’s industrial action on GTR services over the introduction of DOO, the RMT’s members have continued to perform their functions on DOO trains across parts of the UK without industrial action. Given the official conclusions of the RSSB and the

57 [Q168](#)

58 [Q355](#)

59 HC Deb, 13 July 2016, col [164WH](#)

60 [Qq330-34](#)

ORR it is of concern that industrial action is continuing over this issue. The failure of GTR and the RMT to agree to a set of circumstances in which a DOO train can be operational is deeply regrettable. We will return to this issue as part of our ongoing “future of rail” inquires.

53. GTR, the RMT and the Government are each to some extent culpable in the current damaging industrial dispute that, in the main, adversely affects passengers. The impact has been catastrophic for passengers and local communities covered by GTR services. We urge GTR, the RMT and the Government to take on board the criticisms and recommendations made in this Report, and each party to consider further compromises to bring this matter to a rapid resolution. It would be unacceptable for any party to instead use sections of this Report to emphasise the shortcomings of another.

Potential effects on access for disabled people

54. Concerns have been raised in relation to DOO’s potential effects on disabled people’s access to the railway, as it could entail a greater proportion of trains running without a second member of staff, in addition to the driver, on board.⁶¹ This is problematic where a disabled person requires assistance getting on and off the train at unstaffed stations. While disabled people can book the assistance they require—at least 24 hours in advance—through TOCs’ Passenger Assist schemes, research has shown that only a very small proportion of disabled people are aware of and use such schemes.⁶² This suggests a strong reliance on “turn up and go” services; DOO could reduce the number of services on which this is possible.

55. We asked the Department whether it had conducted any equality analysis of the effects of DOO on disabled people’s access to the railway. It told us that it had not, and that it was the TOC’s responsibility to ensure that it meets the needs of all passengers. It was aware that GTR was introducing a number of measures “to ensure their staff are more visible and available to assist passengers with accessibility needs.”⁶³ GTR sent us an update on the measures it was taking, including bringing staff out of ticket offices and onto concourses at 83 of its busiest stations. These stations would be staffed from the first to the last train, seven days a week. The new “Station Hosts” will receive disability awareness and ramp deployment training, and will be “proactive in assisting disabled passengers.”⁶⁴

56. We are concerned that no official impact assessment has been made of the potential effects of DOO on disabled people’s access to the railway. We recommend the DfT and the Association of Train Operating Companies (ATOC) jointly commission research into the potential effects of DOO on the “turn up and go” accessibility of the railway to disabled people who require assistance getting on and off trains. The Department should draw on this research to issue guidance to train operating companies on the measures that should be taken to mitigate potential detrimental effects on disabled people’s access. It should ensure that actions are taken to guarantee that disabled rail passengers receive the support to which they are entitled. The research should be conducted, and guidance published, before summer 2017.

61 See, for example, Action for Rail, ‘[Say No to Driver Only Operation – Keep Guards on Trains!](#)’, accessed 1 September 2016

62 Disabled Persons Transport Advisory Committee ([RPE0229](#))

63 DfT ([RPE0250](#))

64 Southern Railway, “Making our staff more visible and available to assist passengers with accessibility needs”, May 2016 [not published]

3 TSGN—lessons for transparency and accountability

57. The level of dissatisfaction with services on GTR’s network has been such that there have been numerous calls for the company to be “stripped of the franchise”.⁶⁵ There are precedents for a franchise being removed from an operator before the end of the agreement period: for example, in 2007 the Government terminated GNER’s agreement to run services on the East Coast Main Line.⁶⁶ Below we consider GTR’s contractual obligations, the DfT’s monitoring of the contract, and the options available to the Department should poor performance continue.

Could GTR be “stripped of the franchise”?

58. As noted above, GTR breached its contractual cancellations benchmarks in July 2015. This constituted a **contravention** of the franchise agreement, and resulted in GTR’s agreement to implement a Remedial Plan from February 2016, the first level of enforcement action available to the DfT for GTR’s poor performance. **Financial penalties** against the company are available as a second level of enforcement action—GTR has been fined around £2 million for breaching contractual performance benchmarks.⁶⁷

59. In specific circumstances the DfT could **terminate** GTR’s franchise agreement, but on 11 July, the then Minister told us that:

[...] GTR is not in contractual breach of its franchise. They have been penalised for some short formation trains and some cancellations, but they are not technically in breach of their franchise.⁶⁸

60. Possible termination events include where GTR’s performance is equal to or worse than the Default Performance Level for a particular benchmark for:

- (a) any three consecutive Reporting Periods;
- (b) any four Reporting Periods within a period of 13 consecutive Reporting Periods; or
- (c) any five Reporting Periods within a period of 26 consecutive Reporting Periods.

65 See, for example, “[Govia faces fresh calls to be stripped of Southern rail contract](#)”, *The Telegraph*, 20 June 2016; “[Caroline Lucas: strip ‘incompetent’ Southern rail operator of contract](#)”, *The Guardian*, 4 July 2016

66 GNER’s agreement was terminated after it went into default; for, for example, “[GNER east coast franchise terminated](#)”, *FT.com*, 15 December 2006

67 Written answer [39858](#), 13 June 2016

68 Oral evidence taken on 11 July 2016, HC (2016–17) 67, [Q188](#)

61. The revised cancellations benchmarks, as agreed in the Remedial Plan, are as follows:

Table 2: Revised GTR cancellations benchmarks, from February 2016

Franchise Year / Reporting Period		DfT Year / Reporting Period		Breach Performance Level (%)	Default Performance Level (%)
	Period 11		Period 5	2.40	2.70
	Period 12		Period 6	2.40	2.71
	Period 13		Period 7	2.41	2.71
Year 3	Period 1		Period 8	2.40	2.73
	Period 2		Period 9	2.41	2.73
	Period 3		Period 10	2.42	2.73
	Period 4		Period 11	2.42	2.75
	Period 5		Period 12	2.42	2.75
	Period 6		Period 13	2.42	2.75
	Period 7	Year 3	Period 1	2.39	2.69
	Period 8		Period 2	2.36	2.65
	Period 9		Period 3	2.33	2.62
	Period 10		Period 4	2.27	2.59
	Period 11		Period 5	2.24	2.53
	Period 12		Period 6	2.21	2.49
	Period 13		Period 7	2.18	2.46
Year 4	Period 1		Period 8	2.13	2.40
	Period 2		Period 9	2.10	2.37
	Period 3		Period 10	2.05	2.31
	Period 4		Period 11	1.99	2.26
	Period 5		Period 12	1.94	2.20
	Period 6		Period 13	1.89	2.12
	Period 7	Year 4	Period 1	1.81	2.06
	Period 8		Period 2	1.75	1.97
	Period 9		Period 3	1.70	1.91
	Period 10		Period 4	1.62	1.84
	Period 11		Period 5	1.55	1.77
	Period 12		Period 6	1.50	1.70
	Period 13		Period 7	1.44	1.64
Year 5	Period 1		Period 8	1.39	1.57
	Period 2		Period 9	1.31	1.48
	Period 3		Period 10	1.27	1.44
	Period 4		Period 11	1.23	1.39
	Period 5		Period 12	1.16	1.32
	Period 6		Period 13	1.12	1.27

Source: Govia Thameslink Railway, *Remedial Plan*, February 2016 [Appendix 1 to Schedule 7.1 of TSGN franchise agreement]

We were not aware of any published data specifically on GTR's performance against these benchmarks in each Reporting Period; it was therefore impossible for us to assess with certainty from published data whether GTR's performance since the Remedial Plan could constitute grounds for termination of the franchise agreement. Network Rail's train operator performance data showed that 6.9% of GTR's trains were cancelled or significantly late (CaSL), calculated on a moving annual average basis, as at Period 4, 2016/17.⁶⁹ We surmised from this that GTR might have exceeded the breach and/or default level for cancellations, although it should be noted that due to differences in definition between CaSL and "cancelled", as defined in the franchise agreement, there is no direct read-across between the two figures.

Temporary revised timetable; "official and unofficial industrial action"; and "force majeure"

62. A significant complication in attempting to assess whether GTR is meeting its contractual obligations is the implementation of a temporary, revised Southern Railway and Gatwick Express timetable from 11 July 2016, and the extent to which the necessity for its introduction was due to factors beyond the company's control (known as *force majeure*).

63. GTR claimed that the revised timetable, which removed 341 (around 15%) of Southern's services, was necessary "in order to give our passengers more certainty and to help them plan their journeys."⁷⁰ Dyan Crowther emphasised that the temporary timetable was designed to "reduce the impact of [...] cancellations caused daily by high levels of train crew sickness and a reduction in the uptake of overtime." It was initially expected to run for four weeks, while train crew availability was kept under review.⁷¹ On 5 September, eight weeks after the announcement of the revised timetable, 119 of the removed services were reinstated.⁷²

64. Charles Horton repeated an earlier claim that a substantial increase in train crew sickness absence since the start of the RMT's industrial action amounted to "unofficial industrial action".⁷³ This claim was rebutted by the RMT, which suggested that the increase in sickness absence was a consequence of increased stress levels amongst staff during the industrial dispute.⁷⁴ Mick Cash of the RMT also alleged that GTR had cancelled a number of services due to "absence of train crew" when in fact train crew were available to run the trains.⁷⁵

65. We asked the Department whether it had sanctioned the revised timetable and the temporary removal of 15% of Southern's services. It told us that it had not—"the company was responsible for determining the revised timetable".⁷⁶ We wanted to know whether GTR's performance would be measured against the revised, temporary timetable—with the effect of temporarily lowering its performance benchmarks by reducing the number of services it was required to run—or the original timetable. The DfT told us that:

69 See www.networkrail.co.uk/about/performance/

70 Southern Railway, 'Revised timetable', accessed 2 September 2016

71 [Letter from Dyan Crowther to the Chair of the Committee](#), 4 July 2015

72 Southern Railway, 'Revised Timetable', accessed 8 September 2016

73 [Qq174-77](#)

74 [Q92](#) [Mick Cash]

75 [Q85](#)

76 [Q319](#)

Performance is measured against the original (permanent) timetable. However, it must be noted that the operator may be able to claim *force majeure* where extraordinary circumstances prevent it from operating the published timetable.⁷⁷

66. Unofficial industrial action is listed in the franchise agreement as a possible *force majeure* event; this is a standard clause designed to protect operators from the effects of events that are beyond their control, where they have taken all reasonable actions to mitigate the effects on passengers.⁷⁸ In oral evidence on 20 July, the Minister and senior DfT officials were unable to confirm whether GTR had claimed *force majeure* in relation to any breach of contractual benchmarks. It subsequently came to our attention, however, that the Department had previously confirmed, in a Parliamentary Answer on 11 July, that GTR had applied for *force majeure* on the grounds of “official and unofficial strike action”. The DfT subsequently told us that it was “in the process of analysing those claims” but that “it is too early to say what effect the *force majeure* claims, if accepted, will have on GTR’s performance benchmarks.”⁷⁹

67. We wrote to the Department on 23 August, expressing our complete dissatisfaction with its answers to our questions. We asked the Department to set out:

- The date/s on which GTR applied for *force majeure* in relation to its performance against contractual benchmarks;
- the basis on which the claim/s have been made;
- a detailed description of the Department’s processes for assessing the claims;
- when the Department expects to come to a decision on the claims; and
- the potential effects on GTR’s contractual performance benchmarks.⁸⁰

68. We received the Minister’s reply on 6 September. He told us that it was “difficult to provide simple and clear answers”, because of the “exceptional circumstances under which GTR’s performance is being evaluated”. The data provided made clear that GTR’s actual performance against its cancellations benchmarks is now significantly in excess of the contractual breach and default levels: cancellations exceeded the default level in Reporting Periods 3 and 4, 2016/17 (29 May to 23 July).⁸¹ Data subsequently provided confirmed that cancellations exceeded the default level in Reporting Period 5 (24 July to 20 August).⁸² In normal circumstances this would be grounds for termination of the contract; however, GTR had made claims for *force majeure* in relation to official and unofficial industrial action in each Reporting Period since 28 April 2016.

69. The Minister’s letter of 6 September stated that:

The circumstances that have led to GTR submitting their claims for *force majeure* are exceptional in their complexity and unprecedented in scale.

77 DfT (RPE0250)

78 [TSGN franchise agreement](#), Schedule 10.4, section 1 (f) (iii)

79 DfT (RPE0250)

80 [Letter from the Chair of the Transport Committee to Paul Maynard MP, Parliamentary Under-Secretary of State, Department for Transport, 23 August 2016](#)

81 [Letter from Paul Maynard MP to the Chair of the Transport Committee, 6 September 2016](#)

82 [Letter from Paul Maynard MP to the Chair of the Transport Committee, 23 September 2016](#)

This is reflected in the volume of information GTR is providing to the Department. The Department is processing the claims consistently with the contract to ensure that passenger and taxpayer interests are protected.

The Minister told us the Department “cannot state when this process will be concluded”. He expected assessments of the claims to be completed six to eight weeks after the final claim is received, implying that the Department did not intend to enforce the contract while the industrial dispute is ongoing.⁸³

70. We wrote to the Minister again on 9 September, expressing our dismay at the situation, which appeared to disincentivise GTR from bringing about a negotiated settlement to the dispute. We wanted to know why the *force majeure* claims could not be assessed on a Reporting Period by Reporting Period basis; we saw no obvious reason why the Department’s assessment should be delayed until after the final claim is made. We were also deeply concerned that some of the cancellations benchmarks set out in the Minister’s reply of 6 September did not match those in the published franchise agreement.⁸⁴

71. The Minister’s reply set out a timeline that showed GTR’s cancellations benchmarks had in fact been amended twice: first, in November 2015, to reflect changes in assumptions between the bidding stage of the contract and the position actually inherited by GTR at the commencement of the franchise; and second, in the Remedial Plan of February 2016, following GTR’s breach of benchmarks in July 2015. Some of the cancellations benchmarks in the published franchise agreement reflected the interim situation, and not those actually used by the Department to monitor GTR’s performance. In relation to the apparent disincentive for GTR to bring about a resolution to the industrial dispute, the Minister insisted:

“Both GTR and the Department have expended a huge amount of time and effort in resolving this dispute, and continue to do so. Acceptance or rejection of the *force majeure* claims will not shift the entrenched views of the unions. GTR has made very fair offers to the RMT in order to bring about a resolution. These offers have been flatly refused. I have been clear that the way to end this dispute is for the RMT to put the passenger first and withdraw action.”

He clarified that the *force majeure* claims were being assessed “as they come in”, but GTR had not yet provided enough evidence on which to make an assessment, and the “pace of submission of each claim” had not been “as expected”.⁸⁵

72. The DfT has a duty to hold train operating companies to account for poor performance; passengers expect and deserve this. The answers provided to us by very senior officials in oral evidence, and the Department’s subsequent written submissions, however, give us little confidence that it has a firm grip on the monitoring of GTR’s contractual obligations.

73. Until we recently managed, after several attempts and considerable time and effort, to extract information from the Department, GTR’s contractual performance benchmarks, and data relating to GTR’s performance against them, were entirely

83 [Letter from Paul Maynard MP to the Chair of the Transport Committee, 6 September 2016](#)

84 [Letter from the Chair of the Transport Committee to Paul Maynard MP, 9 September 2016](#)

85 [Letter from Paul Maynard MP to the Chair of the Transport Committee, 23 September 2016](#)

opaque. It is completely unacceptable that changes to the contractual benchmarks were not published in an open and transparent way. It is also unacceptable that the data required to scrutinise GTR's performance against its contractual benchmarks are not made readily available. The Department's evasive and opaque answers to our questions hindered our inquiry and delayed publication of this Report.

74. The DfT must take urgent action to increase the transparency of GTR's performance against its contractual obligations. In the interests of open and transparent scrutiny, we recommend that the Department immediately require GTR to publicly report its performance against each of its contractual performance measures in each Reporting Period since the commencement of the current franchise and on an ongoing basis.

75. Industrial action by the RMT since April 2016 has had a substantial exacerbating effect on GTR's poor performance. GTR claims that unofficial industrial action necessitated the implementation of a revised timetable, which appears to have contributed to GTR exceeding the contractual default level for cancellations. The Department must carefully and thoroughly assess GTR's claims for force majeure. We accept that assessment of these claims, particularly where they relate to alleged unofficial industrial action, will be complex and painstaking, involving verification of train crew absences and the actions taken by GTR to mitigate the effects on services. It is unacceptable, however, that the process is being delayed by GTR's tardiness in supplying the information required to support its force majeure claims. It is also unacceptable that the Department does not intend to conclude its assessment of GTR's force majeure claims until the current industrial dispute is resolved. There seems little prospect of resolution in the short term; the union has recently announced further strike dates up to and including 8 December 2016. It is essential that the Department provide clarity about whether GTR is in default, as a matter of urgency. We therefore recommend the Department expedite its assessments of GTR's force majeure claims in the three Reporting Periods to 20 August 2016. GTR should be given a deadline by which to supply the necessary information. Given that the Department requires six to eight weeks to process each claim, we recommend it come to a decision on whether GTR is in default by early November 2016.

Could a different operator run services more effectively?

76. The DfT's view, repeated on numerous occasions by Ministers and officials, is that no other operator could step in and provide an improved service to passengers on this part of the rail network at this time.⁸⁶

77. On 1 September, after we had finished hearing evidence, the Secretary of State announced a package of measures intended to "help get the [Southern Railway] service back running as it should." The package includes:

- The appointment of Chris Gibb, former Chief Operating Officer of Virgin Rail Group and a current non-executive director at Network Rail, to lead new "project board", including GTR, Network Rail and a "passenger representation", which will produce a plan to "achieve a rapid improvement to services"; and

⁸⁶ See, for example, "DfT official says train drivers who oppose Government reforms 'can get hell out of my industry'", *Croydon Advertiser*, 22 February 2016; "Southern rail operator warned it will not be able to bid for new franchises", *The Guardian*, 11 July 2016

- A £20 million fund, payable to Network Rail, overseen by the new project board, to “tackle problems on the line”, including by “placing more rapid response teams on the franchise, accelerating the replacement of worn track, and hiring extra staff at key stations”.

The board’s plan is scheduled to be presented “in the autumn”, and proposed actions implemented “as soon as possible.”⁸⁷

78. Transport for London (TfL) told us that it is in discussions about the transfer of inner-suburban London rail services to its responsibility at the end of relevant franchise agreements, including services that are currently part of the TSGN network. The discussions pre-date the current severe problems on Southern.⁸⁸ The Minister confirmed that the DfT was considering the proposals from TfL, and was working through the operational and democratic accountability issues entailed in services that would inevitably operate across the Greater London boundary. Mr Maynard could not give us any firm date for when services might transfer to TfL’s responsibility. We pressed the Minister on whether some of Southern’s worst performing suburban routes might be transferred as a priority, before the end of the current franchise agreement, but he did not give any indication that there were plans to do so.⁸⁹

79. Legally, should the franchise agreement be terminated, the “operator of last resort” is the DfT. The Department has stepped in to temporarily run services on previous occasions—Connex South Eastern and National Express East Coast, for example.⁹⁰ Until recently, the body set up to deliver services on behalf of the Government was Directly Operated Railways (DOR), a company wholly-owned by the DfT. In December 2015, DOR was absorbed into the DfT on the grounds that “it was not a good use of taxpayers’ money to maintain DOR’s full corporate structure on a ‘just in case’ basis”. The Rail Minister confirmed that the Department had contracted Arup, SNC-Lavalin Transport Advisory (InterFleet), and EY to provide services to support the Secretary of State in connection with his duties under Section 30 of the Railways Act”, including “the full mobilisation of a public sector train operator.”⁹¹

80. We note the Secretary of State’s recent announcement of a £20 million package of measures, including the appointment of Chris Gibb to lead a new project board to devise a plan to produce a rapid improvement to Southern Railway’s services. Whether a £20 million fund will be sufficient to make a real difference remains to be seen. While the Secretary of State’s intervention might indicate a renewed sense of urgency on the part of the Department, passengers may view it as “too little, too late”, given that they have been experiencing unacceptably poor service for more than a year. We look forward to seeing the new project board’s plan, and hope that it can swiftly bring about the positive change that passengers deserve. We will continue to closely scrutinise progress.

87 [“Package of measures announced to help improve resilience of Southern network”](#), Department for Transport press release, 1 September 2016

88 London Assembly Transport Committee, [Devolving rail services to London: Towards a South London Metro](#), October 2015

89 [Qq409–12](#)

90 [“Connex loses second UK franchise”](#), *Railway Gazette*, 1 August 2003; [“National Express loses East Anglia franchise”](#), *Financial Times*, 26 November 2009

91 Written Answer, [23836](#), 28 January 2016

81. *We ask that the Department, in response to this Report, set out in detail: how the recently announced £20 million will be allocated to address the problems on Southern Railway; whether the £20 million is new, additional funding, or from what part of the Department's budget it has been reallocated; the precise outputs it expects the £20 million to achieve; and a more precise timetable for the publication of the project board's plan and the implementation of its actions. This money should ultimately be recovered from the operator.*

82. **Passengers on the TSGN network deserve a much more reliable service. If GTR is in default, it is incumbent on the Department to take the franchise back in house and then to find one or more operators that can improve the situation. It is simply not credible for the DfT to continue to claim that “no other operator” could improve the situation; if it is the case, it is a consequence of the structuring of the franchise, for which the Department is ultimately accountable. If GTR is shown to be in default, the Department must take the opportunity to find a way of delivering more reliable services for passengers. *The DfT must have a workable enforcement policy for all rail franchises. There must be a clear and credible threat to restructure or terminate GTR's franchise agreement should it default on its contractual obligations. We recommend that the DfT respond to this report with a clear statement of its capability to step in as operator of last resort, as it is legally obliged to do in the event of default. We recommend the Department work up plans for this contingency, which would enable it to break up the franchise and transfer some or all operations to one or more other operators. The Department should, for example, be working with Transport for London (TfL) to develop plans, in the event of default, for the transfer of Southern's suburban rail services to TfL before the scheduled end of GTR's agreement in 2021.***

Compensation for TSGN passengers

83. A standard “delay/repay” scheme applies for passengers on the TSGN franchise. Passengers are entitled to a 50% refund on the cost of their ticket if their train is delayed by 30 minutes or more, rising to 100% compensation if the train is delayed by 60 minutes or more. Season ticket holders must make claims for individual delayed journeys in the same way as other passengers.⁹²

84. Passengers have expressed dissatisfaction with delay/repay schemes, and in December 2015 the consumer rights organisation Which? raised a “super-complaint” to the ORR about lack of awareness and take up of delay/repay compensation.⁹³ The ORR's response, published in March 2016, set out a number of recommended actions designed to streamline the process, increase take up and promote consistency of approach across the network.⁹⁴

85. We intend to monitor progress towards implementing the ORR's recommendations later in this Parliament. We therefore intentionally excluded delay/repay compensation from the terms of reference for this inquiry. Nonetheless, many witnesses addressed the issue of compensation in the context of TSGN passengers, many of whom have been routinely and consistently delayed over the course of more than a year. Witnesses felt it

92 *Transport: passenger rights, compensation & complaints*, House of Commons Library Briefing Paper [SN3163](#), June 2015

93 [“Which? use super-complaint powers on rail industry”](#), Which? press release, 21 December 2015

94 Office of Rail and Road, [Which? Super-complaint—compensation arrangements in the market for passenger rail services](#), March 2016

was unfair for the onus to remain on the passenger to make individual claims in these extraordinary circumstances.⁹⁵ At least one TOC operates an automatic delay/repay scheme for passengers who pay by bank card—last year Virgin Trains became the first to automatically refund the relevant percentage of the cost of the ticket to the card on which the ticket was purchased.⁹⁶

86. On 29 June, the then Prime Minister announced that a “more generous” compensation package for Southern Railway passengers would be announced “soon”.⁹⁷ No such package had been announced by the time we heard oral evidence from the DfT on 20 July. The Minister told us that he was:

[...] taking advice on the options that are available to me to offer an enhanced remuneration package, but my focus really has to be on resolving the problems on the network first, rather than diverting that focus to issues of compensation.⁹⁸

87. On 6 September, the Rail Minister wrote to inform us that the Government had decided that the Consumer Rights Act 2015 “should apply in full to all transport services, including mainline passenger rail services, from 1 October 2016.” The Government had previously proposed to legislate to extend an exemption for the mainline rail sector to October 2017, “to allow time for operators to move to a consistent compensation scheme”. Mr Maynard informed us that:

[...] the Government is now of the view that rail customers should not be denied any consumer rights or protections even for a temporary period while the rail industry works to put in place more consistent compensation arrangements between train operators. The Government has today withdrawn the draft statutory instrument which would have put this exemption in place.

The practical effect of the removal of the exemption is that mainline rail passengers will be able to pursue TOCs, through the Courts, for compensation equal to the full cost of their ticket where they believe that the TOC has “failed to run a service with reasonable care and skill”. This could include delays of less than 30 minutes and other failures of service provision; it will be for the Courts to decide on a case-by-case basis. The Minister’s letter confirmed the Government’s commitment to “strengthening the standard compensation schemes that operators offer”, and noted that these “will remain the main means of redress for customers when things go wrong.”⁹⁹

88. Given the scale and prolonged nature of disruption on parts of the TSGN franchise, it is unacceptable that a standard delay/repay scheme, in which the onus is on the passenger to make individual claims each time they are delayed, continues to apply. Alternative arrangements should have been made as soon as it became clear that passengers were going to experience a prolonged period of severe disruption. The then Prime Minister’s commitment, given in June 2016, to an enhanced compensation

95 Campaign for Better Transport ([RPE0206](#)); Duncan Neat ([RPE0207](#))

96 Virgin Trains ([RPE0204](#))

97 HC Deb, 29 June 2016, [col 294](#)

98 [Q338](#)

99 DfT, *Applying the Consumer Rights Act 2015 to the rail, aviation and maritime sectors*, July 2016; DfT, ‘[Consumer Rights Act 2015: application to transport sectors](#)’, accessed 6 September 2016

package was therefore welcome, if somewhat belated, but we are concerned that no such package has yet been announced. *We recommend that the Government immediately put in place an automatic compensation scheme, in which TSGN's passengers are refunded directly, without the necessity to make a claim.*

89. The Government's recent decision not to extend the exemption for mainline rail services from the Consumer Rights Act 2015 is welcome. We intend to explore the implications of this decision in more detail, alongside steps being taken to strengthen TOCs' delay-repay compensation schemes, later in this Parliament.

4 Passenger satisfaction and TOC performance measures

90. Many passengers are sceptical about current official methods of measuring rail passenger satisfaction and TOC performance, in particular that the measures do not adequately reflect the real experience of rail travel.¹⁰⁰ These concerns have been acknowledged by the DfT, the independent consumer body Transport Focus and the Rail Delivery Group (RDG, industry-wide body that includes TOCs and Network Rail), and work is under way to bring about improvements.¹⁰¹ Below we examine the concerns and assess the steps being taken to address them.

Measuring satisfaction: The National Rail Passenger Survey

91. The National Rail Passenger Survey (NRPS), conducted by Transport Focus, is the predominant measure of rail passengers' satisfaction with rail travel. It surveys over 50,000 passengers per year across the GB rail network. Data from the NRPS can be disaggregated by a wide range of categories, including by TOC; type of operator (regional; London and South East; and long-distance); and journey type (leisure; business; and commuter). It surveys passengers' satisfaction with their most recent rail journey—passengers are handed a paper questionnaire as they board the train. The survey is carried out in two main tranches, with the results published in Spring and Autumn each year. The NRPS was established in 1999 and provides data in a long time-series that can be used to identify trends.¹⁰²

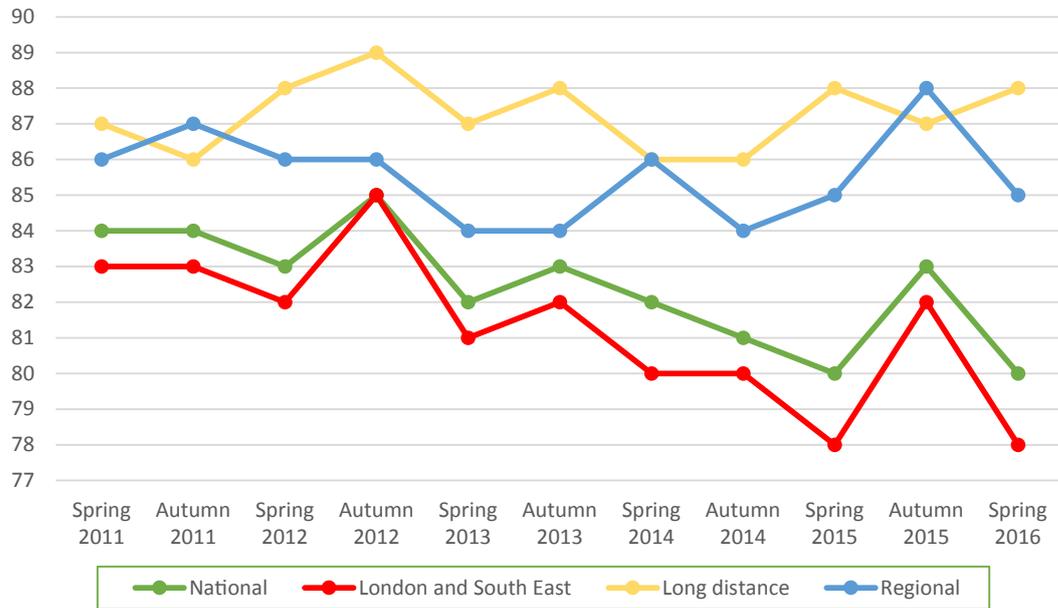
92. As noted in the introduction to this Report, the average level of overall rail passenger satisfaction appears high (80% in Spring 2016), but it is down from a peak of 85% in Autumn 2012. Disaggregated by journey type, the data show that long-distance (88%) and regional rail passengers (85%) are significantly more satisfied than those in London and the South East (78%):

100 See, for example, Iain Kernaghan ([RPE0080](#)); Adam Martin-Lawrence ([RPE0125](#)); Grahame Mitchell ([RPE0041](#))

101 DfT ([RPE0166](#)); Transport Focus ([RPE0198](#)); RDG ([RPE0202](#))

102 Transport Focus ([RPE0198](#))

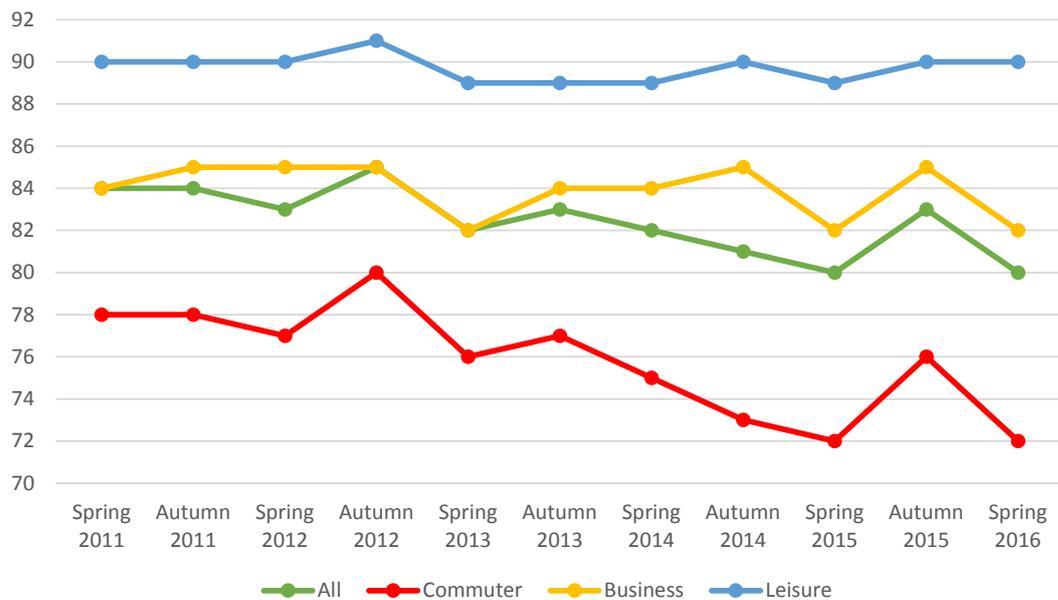
Figure 2: Rail passenger satisfaction Spring 2011–Spring 2016, by sector



Source: Transport Focus, National Rail Passenger Survey (Spring 2016), June 2016

On average leisure passengers are the most satisfied (90%), followed by business passengers (82%). Satisfaction amongst commuters is significantly lower and falling—commuter satisfaction has fallen from 80% in Autumn 2012, to a five-year joint low of 72% in Spring 2016. When the data are disaggregated by individual TOC, they show that the least satisfied passengers were those using Southeastern Railway and Southern Railway commuter services in and out of London (both scored 69%):

Figure 3: Rail passenger satisfaction Spring 2011–Spring 2016, by journey type¹⁰³



Source: Transport Focus, National Rail Passenger Survey (Spring 2016), June 2016

93. While the low ranking of Southeastern and Southern Railways reflects the weight of evidence we received from these operators' dissatisfied passengers, a number of Southern Railway's London commuter passengers expressed incredulity about even the comparatively low figure of 69%; they simply did not feel it reflected the overwhelmingly negative recent experience of using Southern's commuter services.¹⁰⁴ It should be noted, however, that the negative sentiment of Southern's many London commuter passengers will to some extent be averaged out by the more positive experiences of other types of passengers on other parts of Southern's diverse network.

94. A commonly held view was that NRPS results were deliberately manipulated to produce artificially high satisfaction scores. Some witnesses were convinced that that NRPS was deliberately carried out at off-peak times or on quieter routes, to avoid the mass of dissatisfied passengers on the busiest trains.¹⁰⁵ Some argued that the NRPS's "snapshot" method—surveying satisfaction with a single journey on a particular day—produced skewed results, which "rarely reflect the true picture of daily problems faced by regular commuters".¹⁰⁶ They felt that the NRPS should "look at the overall experience, and not just the last journey made."¹⁰⁷

95. Some expert witnesses had a degree of sympathy for this argument. London TravelWatch, the statutory consumer body for the Capital, noted that Which's annual rail consumer survey considered satisfaction over the previous 12 months, and was therefore able to track passenger sentiment over a longer period.¹⁰⁸ Railfuture made a similar point; it believed that the Which? survey's methodology was more likely to reveal commuter dissatisfaction.¹⁰⁹

96. Transport Focus defended the NRPS's methodology. It noted that its sample size was by far the largest: 50,000 passengers per year in two tranches compared to 7,000 participants in Which's annual survey. It insisted that its sampling plan ensures an appropriate spread of rail journeys by: journey purpose; peak/off peak; weekday/weekend; and staffed/unstaffed stations. It emphasised that, while the Which? survey typically produced lower satisfaction scores, Which?'s ranking of TOCs in order of passenger satisfaction tended to be consistent with the NRPS. Transport Focus emphasised two key factors that contributed to the lower scores produced by the Which? survey:

- it measures satisfaction with a different set of factors in a much narrower range of categories; and
- negative rail journeys tend to "stick in the mind" longer than positive ones, so a survey that relies on passengers' recall of events over a 12-month period will tend to produce lower satisfaction scores than a "snapshot" survey.¹¹⁰

97. Broadly, industry and expert witnesses agreed that the NRPS was well-established, methodologically robust and provided useful time-series data to track trends and compare performance.¹¹¹

104 Caroline Clark ([RPE0142](#)); Adam Martin-Lawrence ([RPE0125](#)); Iain Kernaghan ([RPE0080](#))

105 See, for example, Iain Kernaghan ([RPE0080](#)); Grahame Mitchell ([RPE0041](#))

106 Caroline Clark ([RPE0142](#))

107 Adam Martin-Lawrence ([RPE0125](#))

108 London TravelWatch ([RPE0134](#))

109 Railfuture ([RPE0138](#))

110 Transport Focus ([RPE0198](#))

111 See, for example, FirstGroup plc ([RPE0208](#)); ORR ([RPE0220](#)); London TravelWatch ([RPE0134](#))

98. A number of possible enhancements to the NRPS were suggested, including adopting more modern techniques such as online surveys.¹¹² The Urban Transport Group thought that the views of non-users of trains, including those who were unable to board a train due to overcrowding, were important but currently omitted from the sample.¹¹³ A common view was that the main tranches of the NRPS ought to be carried out more frequently.¹¹⁴

99. The DfT's position was that the NRPS in its current form was useful but had limitations. It told us it was working with Transport Focus and the TOCs to move towards improved, broader and more frequent measures of passenger satisfaction.¹¹⁵

100. Transport Focus told us that it would soon be testing a new approach in relation to the recently let Greater Anglia franchise agreement, which is due to commence shortly. The new approach would focus on measuring three Key Performance Indicators (KPIs): customer experience, presentation of facilities and staff performance. Customer experience would be evaluated via passenger satisfaction surveys using the NRPS methodology; presentation of facilities and staff performance would be measured using "mystery shopper" exercises.

101. Transport Focus told us it intends to evaluate performance against each KPI in every Reporting Period of the franchise agreement i.e. at four-week intervals. Over 7,500 Greater Anglia passengers will be surveyed each year, providing the new operator with "more data in order to better improve the customer experience." The mystery shopper exercises will cover broader issues, including "cleanliness, upkeep and repair, ticket buying facilities and the attitudes and helpfulness of staff." The franchise agreement, when published later this year, is likely to include targets against each KPI; failures will result in Remedial Plans and/or financial penalties imposed on the TOC.¹¹⁶

102. The National Rail Passenger Survey (NRPS) is long-established and methodologically sound, but it could and should be improved to more accurately reflect the everyday experience of passengers. We therefore welcome the proposed approach to be tested in relation to the new Greater Anglia franchise, which we intend to further scrutinise in our broader inquiry into franchising.

103. The GB-wide NRPS's principal weakness is that it is a relatively narrow "snapshot", carried out in two tranches per year, of passengers' satisfaction with a particular journey. Steps should be taken to address this, while maintaining the NRPS's key strength—provision of reliable time-series data by which to identify trends and compare TOC performance, disaggregated by a number of logical categories. We recommend that the GB-wide NRPS be carried out at least quarterly, and that the DfT fund Transport Focus to do this. We further recommend that Transport Focus take careful steps to broaden the NRPS's sample, including by piloting the use of online surveys and surveying the views of non-users of rail travel, including those who were unable to board a train due to overcrowding.

112 Virgin Trains ([RPE0204](#))

113 Urban Transport Group ([RPE2029](#))

114 DfT ([RPE0166](#)); Rail Delivery Group ([RPE0202](#)); Virgin Trains ([RPE0204](#))

115 DfT ([RPE0166](#))

116 Transport Focus ([RPE0249](#))

Measuring performance: Public Performance Measure

104. The headline measure of TOC performance tends to be the Public Performance Measure (PPM)—the percentage of trains that arrive at their destinations “on time” (defined as within five minutes of scheduled arrival time for regional and commuter trains and within 10 minutes for longer distance trains). Official data show that the PPM is over 87.4% across the whole GB network. Performance across franchised TOCs ranges from 70.4% (GTR) to over 97% (c2c).¹¹⁷

105. Broadly witnesses felt that PPM was too blunt a measure, which took little account of the passenger’s experience of train travel. Several pointed out that PPM records only what happens to trains, rather than outcomes for passengers, and in doing so creates perverse incentives for TOCs to take actions to maintain PPM figures, such as missing out stops *en route* to make up time to the destination station, to the detriment of some passengers. This appears to be a common experience.¹¹⁸

106. Transport Focus argued that better performance measures, which take greater account of the experience of all passengers, were required to improve trust in the industry. Its view was that performance measures should “make sense to passengers and drive behaviours that they want to see”. These included “hard targets” for “right time” punctuality; Transport Focus’s research has shown that passenger dissatisfaction starts to increase well within the five or 10 minute leeway of the PPM measures. For high frequency services, London TravelWatch favoured an “excess journey time” performance measure, as operates on London Underground, as a way of more accurately capturing the real experience of passengers:

This is the total additional time that passenger journeys would have taken compared with the scheduled time, i.e. taking account of the numbers of passengers travelling. For high frequency ‘metro’ services, this is probably a much better measure of reliability than a PPM based on whether trains arrive at their destination [...] within 5 or 10 minutes of their public schedule.¹¹⁹

107. The current Public Performance Measure (PPM) does not reflect the real passenger experience, and produces perverse incentives—most obviously, missing out intermediate stops to make up time in reaching the train’s destination—that often work against the interests of many passengers. This is unacceptable and must stop.

108. We recommend PPM be abandoned as the headline measure of TOC performance, and the DfT work with Network Rail and Transport Focus to establish updated “right-time” measures, which take account of punctuality at all stops on a train’s journey. We recommend that a replacement for PPM be implemented by summer 2017.

Insufficient focus on overcrowding

109. Given the huge capacity challenge facing the railway, it is perhaps unsurprising that many witnesses drew attention to uncomfortable, and potentially dangerous, levels of

117 Network Rail, ‘[Performance](#)’, accessed 24 August 2016

118 See, for example, Dallas Roulston ([RPE0047](#)); Ed Aldridge ([RPE0129](#)); Dr Tom Haines ([RPE0131](#)); Paul Sparks ([RPE0213](#))

119 London TravelWatch ([RPE0134](#))

overcrowding. This was a major concern for passengers across the network, not just on the busiest London commuter routes.¹²⁰ The Campaign for Better Transport (CfBT) noted that reducing overcrowding was one of the highest priorities for passengers; overcrowding was uncomfortable, highly stressful and, in many cases, forcing commuters to travel to work very early or leave work late, to the detriment of spending time with their families.

110. CfBT emphasised recent evidence that a “troubling number” of individual services were operating at nearly double their recommended capacity.¹²¹ The DfT’s official statistics on overcrowding measure the percentage of passengers in excess of capacity (PiXC) and percentage of passengers standing, by TOC and 11 major city regions. These show that in 2015 London services were most overcrowded: on a typical autumn weekday morning during peak hours, trains were *on average* 6% over capacity, with 24% of passengers standing. The next most overcrowded trains were in Manchester, at 4% over capacity, with 12% of passengers standing.¹²² In addition, the DfT identifies the “top ten” most overcrowded individual train services in England and Wales. These statistics show that in Autumn 2015, the ten most overcrowded services were between 61% and 129% over capacity. Of the “top ten”, eight were in London and two in Manchester.¹²³

111. A number of witnesses argued that levels of overcrowding should be more effectively encompassed in TOC performance measures. Professor Chris Baker and Dr Jochen Brandt, for example, both believed that trains that are overcrowded to the extent that some passengers are unable to board should be counted against TOC performance in a similar way to late and cancelled trains.¹²⁴

112. Persistently high levels of overcrowding on particular services on some parts of the rail network are a concern for many passengers. The current official measure of overcrowding, the DfT’s percentage of passengers in excess of capacity (PiXC) statistics, illustrates the problem only in broad average terms, in 11 city regions. In addition, the DfT identifies the “top ten” most overcrowded individual train services. There is a very strong case for more clearly identifying, and taking action to alleviate, substantial overcrowding on specific services across the network. *We recommend the DfT review and redesign its PiXC statistics, with a view to more clearly identifying particular train services operating at substantially over capacity. The Department should draw on these statistics to develop a more coherent strategy for tackling overcrowding, including by incentivising TOCs, through franchise agreements, to alleviate the worst examples of persistent overcrowding on particular services across the rail network.*

120 See, for example, Tyne and Wear Public Transport Users Group ([RPE0163](#)); Sherborne Transport Action Group ([RPE0174](#)); Dr Jochen Brandt ([RPE0177](#)); Emma Sullivan ([RPE0203](#)); Shouvik Datta ([RPE0222](#)); Martyn Clark ([RPE0227](#))

121 Campaign for Better Transport ([RPE0206](#))

122 DfT, [Percentage of passengers in excess of capacity \(PiXC\)](#), July 2016, table RAI0214

123 DfT, [England and Wales ‘top 10’ overcrowded train services: Spring and autumn 2015](#), July 2016

124 Prof. Chris Baker ([RPE0022](#)); Dr Jochen Brandt ([RPE0177](#))

5 Simpler, more transparent and fairer ticketing

113. The complexity of rail ticketing—the often baffling range of different rail tickets available and the sometimes incomprehensible jargon used to describe them—is a long-standing concern. Our predecessors drew attention to the complexity of rail fares a decade ago.¹²⁵ Since then, Transport Committees in previous Parliaments, regulators, consumer bodies, passenger groups and the media have drawn attention to the related problem of passengers finding it difficult to identify and purchase the best value ticket for their journey.¹²⁶

114. Particular bugbears include use of ambiguous terms such as “London Terminals” and “Any Permitted” in relation to destinations and routes; “split-ticketing”, by which cross-country journeys can often be made more cheaply by purchasing a series of tickets between intermediate stations on the journey; and ticket vending machines that do not always offer the full range of ticketing information or the cheapest available fares. Below we assess actions taken to date to address these problems. We also consider progress towards the introduction of “smart” ticketing—to replace the traditional paper rail ticket—and the Government’s manifesto commitment to introduce fairer tickets options for regular part-time commuters.¹²⁷

Complexity and lack of transparency

115. In 2006, the Transport Committee found that the level of complexity in unregulated rail fares was “an insult to the passenger”. It concluded:

The fact that this situation has been allowed to develop unchecked over a number of years demonstrates a lack of commitment from both train operating companies and the Government to the best interests of rail passengers.

It recommended “urgent action to implement a unified fares structure across the entire industry”, with “no more than a handful of different fares” and “identical” names for ticket terms and restrictions (such as permitted time of travel) and equivalent ticket types across all TOCs.¹²⁸

116. By 2009, some progress had been made but in a further report the Committee concluded that the fares system remained too complex, and passengers still had to go to “extraordinary lengths”, often undertaking “complex research”, to secure the cheapest tickets on some cross-country routes.¹²⁹

125 Transport Committee, Sixth report of Session 2005–06, *How fair are the fares? Train fares and ticketing*, HC700

126 See, for example, Transport Committee, Eighth Report of Session 2008–09, *Rail fares and franchising*, HC 233; “Complex train tickets confuse passengers”, *The Guardian*, 20 September 2011; Office of Rail Regulation, *Fares and ticketing—information and complexity*, June 2012; “Passengers are being ‘ripped off’ by baffling train fares”, *The Telegraph*, 20 December 2015; “Crackdown on rail firms for hiding cheap fares”, *The Times*, 26 July 2016 [subscription required]

127 *The Conservative Party Manifesto 2015*, p 15

128 Transport Committee, Sixth Report of Session 2005–06, *How fair are the fares? Train fares and ticketing*, HC700

129 Transport Committee, Eighth Report of Session 2008–09, *Rail fares and franchises*, HC 233

117. In 2010, research by Transport Focus into the usability of rail ticket vending machines (TVMs) found that while the large majority (72%) of passengers were broadly satisfied with ticket-buying facilities at stations, there remained significant problems with TVMs, including poor screen layout; confusing and onerous screen sequencing; and confusion over validity of ticket-types and restrictions, leading to passengers being unclear about which was the best value ticket for their journey. Transport Focus recommended reducing the volume of information on certain screens; making better use of colour contrasting to improve the identification of key buttons; providing clearer information on ticket restrictions and routes; and using less industry jargon.¹³⁰

118. More recently, the ORR examined the problems of complexity and lack of transparency and found a strong perception amongst passengers that rail ticketing was “unfair”. In 2012, more than half of passengers believed that finding the best value ticket for a journey was “a bit of a lottery”; 45% found the system too difficult to understand; and 41% reported having purchased a rail ticket only to subsequently find they could have made the same journey with a cheaper ticket. Trainline.com Limited, the UK’s largest third party rail ticket retailer, reported that uncertainty over whether they are obtaining the best possible fare is the “single biggest barrier to passengers choosing to travel by rail for a particular journey.”¹³¹

119. Despite the concerning statistics, the then Chair of the ORR reported in 2012 that she was “extremely pleased” with the progress that the regulator and ATOC had made “to grasp the nettle” of complexity and opacity in the rail ticketing system. She said the ORR:

[...] will be encouraging train operating companies to make sure customers have more online information, can access the cheapest fares, are aware of alternative routes, understand the restrictions, and demystify the jargon around their product offer. We will also be asking them to explore how ticket vending machines can become more user-friendly [...].¹³²

120. In June 2016, the ORR published a follow-up report, identifying incremental progress but concluding that there was “clearly more to do”. The ORR’s main focus was on TVMs. It found that the problems around use of jargon, limited range of available tickets, lack of clear information about ticket restrictions and timing of off-peak tickets sales persisted. TOCs’ responses to the ORR’s 2015 questionnaire on these issues are set out in the table below:

130 Passenger Focus, *Ticket Vending Machine Usability: Qualitative Research*, July 2010

131 Trainline.com Limited ([RPE0201](#))

132 Office of Rail Regulation, *Fares and ticketing: information and complexity*, June 2012

Table 3: Summary of TOC responses to ORR survey on ticketing issues, November 2015

Use of jargon	The use of terms such as “London Terminals” and “Any Permitted” are still widely used without explanation – although some operators have started to provide additional information about the specific London stations to which the ticket applies or, where there is only one relevant London station, using the station name instead.
Provision of information about available products	The majority of ticket vending machines provide a limited range of tickets/products when compared to other points of sale. However, operators have now added signage to their machines, either to the exterior of the machines or on the screen, which tells passengers about these limitations and where to go (e.g. ticket office) if they want to choose from a wider range of tickets, which might include cheaper alternatives.
Provision of information about restrictions and validities	The information that ticket vending machines provide about key restrictions, such as the time at which a ticket is valid or the route on which it is valid, still appears to be limited. However, some of the ‘static’ signage that has been applied to machines does include some of this information.
Timing of Off-Peak sales	The responses we received suggest that Off-Peak tickets go on sale, subject to local conditions, either a few minutes before the last Peak service departs, or very soon after – generally within 5 minutes.
Filtering of results	Ticket vending machines generally appear to list the results of a search by showing the relevant tickets for the journey requested, in order of price (low to high) but they do not have the functionality to allow passengers to subsequently filter – such as by journey duration.

121. The report identified industry-wide barriers preventing further progress, including:

- limitations of some of the hardware;
- reliance on ticket vending machine suppliers for software updates;
- limitations of industry data and systems; and
- the need to agree common definitions and approaches across the industry.

It reported that ATOC was working with TOCs and ticket machine suppliers on an industry-wide Product Management System, which it was hoped would facilitate improvements in areas such as standardisation of route descriptions and peak travel restrictions. Additionally, ATOC was developing a “10-point improvement plan”, including:

- cleansing of industry data to reduce the number of routes or tickets that cover the same journey;
- making the National Rail Enquiry (NRE) ticket restriction text feed available to suppliers;
- greater consistency across the national rail network as to when Off-Peak tickets are sold; and
- replacing stickers on ticket vending machines with on-screen information about the products that are and are not sold at machines.

These and other changes were expected to be implemented over the following three to six months (i.e. by the end of 2016).¹³³

Split-ticketing

122. Numerous witnesses raised the issue of split-ticketing, noting that it is often possible, for those passengers who are “in the know” and have the time to undertake onerous research to save considerable sums of money by buying separate tickets for different portions of the same journey.¹³⁴ Concerns have also recently been raised in the media. A recent investigation by *The Times*, for example, examined the ticketing options on 50 cross-country rail journeys. It found that in relation to 33 of these, it was possible to save money through split-ticketing but that many passengers were unaware of this option. It concluded that passengers were paying as much as £85 more than was necessary for some journeys.¹³⁵

123. The ORR has powers in consumer law to take legal enforcement action against TOCs where there is sufficient evidence of collective harm to consumers.¹³⁶ We challenged the ORR over why it had taken so long for the regulator to get a grip on the very long-standing concerns about rail ticketing, and why there had been no enforcement action taken to date. Joanna Whittington, the ORR’s Chief Executive, emphasised that incremental progress had been made and that broadly it favoured ongoing engagement with TOCs over formal enforcement.¹³⁷ She subsequently said, however, in response to the investigation by *The Times*:

The question is whether we think more could and should be done. There is the potential that we will need to take action if the speed of change together with the detriment [to passengers] [...] suggests that that’s necessary. Of course, we wouldn’t hesitate.¹³⁸

The Minister told *The Times* that “passengers deserve better”, and that he would be pushing the train companies to make improvements, “as a priority”.¹³⁹

124. Transport Focus emphasised the “complicated nature” of regulation in this area, with potential overlaps between the ORR’s powers in the licensing of rail operators, and in consumer law, and the DfT’s role in franchising and the regulation of some fares. While it did not believe that improved regulation would necessarily be brought about by “shoe-horning” all protections into the responsibilities of a single body, it argued that where overlaps exist it is necessary for the approaches to be “aligned” in a “shared vision/set of aspirations”.¹⁴⁰

133 Office of Rail and Road, *Measuring up—Annual Rail Consumer Report*, June 2016

134 See, for example, Dr. Neil Walkinshaw (RPE0014); Martin Green (RPE0051); David Robson (RPE0060); Wincenty Dulkowski (RPE0068); Dawn Robinson-Walsh (RPE0095); Paul Hollinghurst (RPE0098); London TravelWatch (RPE0134)

135 “Crackdown on rail firms for hiding cheap fares”, *The Times*, 26 July 2016 [subscription required]

136 See Office of Fair Trading, *Enforcement of Consumer Protection Legislation: Guidance on Part 8 of the Enterprise Act 2002*, June 2003

137 “Crackdown on rail firms for hiding cheap fares”, *The Times*, 26 July 2016 [subscription required]

138 “Crackdown on rail firms for hiding cheap fares”, *The Times*, 26 July 2016 [subscription required]

139 “Crackdown on rail firms for hiding cheap fares”, *The Times*, 26 July 2016 [subscription required]

140 Transport Focus (RPE0238)

125. Unfairness, complexity and a lack of transparency in the rail ticketing system have been apparent for at least a decade. The incremental progress towards addressing these problems has been far too slow. We agree with the Minister that “passengers deserve better”. The time has come for a more rigorous and coordinated approach, to ensure change across the network. *The Department and the Office of Rail and Road must more rigorously use their respective franchising and regulatory powers, and work together to address:*

- *use of incomprehensible jargon in relation to rail tickets, including implementation of clear and consistent terminology in relation to ticketing across the rail network;*
- *the availability of cheaper “split-ticketing” options only to those passengers who are “in the know” or prepared to undertake onerous research; and*
- *ticket vending machines that are confusing and do not always offer the best value fares.*

We recommend that the Department and the ORR publish a joint strategy to address each of these problems, or take enforcement action against TOCs who fail to comply with relevant codes of practice, rail licence conditions, franchise agreements or consumer law. We recommend that the joint strategy be published by April 2017, and that it include a clear timetable for full implementation across the rail network.

“Smart” ticketing

126. The 2015 Conservative Party Manifesto contained commitments to introduce “smart” ticketing and part-time season tickets.¹⁴¹ Smart ticketing is generally taken to mean technological replacements for the traditional orange, magnetic strip paper ticket: smartcards, similar to TfL’s Oyster cards, or contactless smartphone payment/tickets downloadable to smartphones. The DfT told us that:

The tangerine magstripe paper ticket has served rail passengers for thirty years, a job that it has done well in the past, but one that it is no longer suited for. It’s difficult to use, easy to lose, and most importantly, hinders travel using multiple modes. Simply put, it has not kept up with our changing lives. This is why the Government is committed to introducing smart ticketing.¹⁴²

127. There was wide-ranging support for a move away from the paper ticket.¹⁴³ Significant steps have been taken, but the Department acknowledged that progress towards smart-ticketing across the network has been slow.¹⁴⁴

128. The key challenge to the more widespread introduction of smart systems appeared to be lack of coordination and integration between TOCs. Numerous TOCs had introduced smart-ticketing—including, Abellio Greater Anglia, Arriva Trains Wales, C2C, Chiltern Railways, East Midlands Trains, Govia Thameslink Railway, Grand Central, Hull Trains,

141 [The Conservative Party Manifesto 2015](#), p 15

142 DfT ([RPE0166](#))

143 Sarah Clifford ([RPE0053](#)); Carol Major ([RPE0078](#)); Nick Lester-Davis ([RPE0151](#)); Trainline.com Limited ([RPE0201](#)); London TravelWatch ([RPE0134](#))

144 DfT ([RPE0166](#))

London Midland, Merseyrail, ScotRail, South West Trains, and Virgin Trains—but there did not appear to be a great deal of coordination, and there was no industry-wide preferred solution. In oral evidence, Jacqueline Starr, ATOC/RDG’s newly-appointed Managing Director, Customer Experience, revealed that:

[...] within the last few weeks we have gained agreement across the RDG and all our board members for a smart ticketing plan with a very clear timeline, very clear deliverables and clear sponsorship from the TOC community. We have approval and have received an allocation of the initial funding to deliver the first phase [...].¹⁴⁵

129. There has been progress on smart-ticketing, with a number of TOCs introducing their own systems, but we are concerned at the lack to date of a coordinated, industry-wide solution. We therefore welcome the Rail Delivery Group’s (RDG) announcement of a network-wide smart-ticketing plan. We recommend the RDG immediately publish details of its smart-ticketing plan, including a clear timetable for delivery. This must not be further postponed; we expect to see an implementation timetable for which TOCs can be held publicly to account.

Part-time season tickets

130. The affordability of train travel for part-time workers was a very strong theme in the evidence. Many submissions were from part-time commuters who are currently either paying for a full-time annual season ticket, as there is no cheaper alternative, or having to buy combinations of tickets, which can be cheaper, but which, as noted above, are often not advertised.¹⁴⁶

131. There was therefore strong support for the Government’s manifesto commitment, but disappointment at an apparent lack of progress. In 2013, the Coalition Government announced its intention to trial part-time season tickets with a view to rolling them out across the rail network.¹⁴⁷ The trial became known as SEFT (South East Flexible Ticketing), which started to test smartcard technology and flexible ticketing in 2014 in a number of small-scale trials on London commuter routes. The DfT allocated £80 million to the project. By February 2015, £39.11 million of this funding had been spent towards developing “a central back office for the entire rail industry to use and towards the costs to train operators of new infrastructure and upgrades.”¹⁴⁸ In March 2015, the DfT revealed that there were four members of DfT staff and one ATOC staff member working on SEFT.¹⁴⁹ The Campaign for Better Transport, a strong supporter of part-time season tickets, assumed that SEFT had effectively been “abandoned”.¹⁵⁰

132. The Government made a renewed commitment to smart-ticketing and part-time season tickets in the 2015 combined Spending Review and Autumn Statement.¹⁵¹ The Department informed us that from 2018 it intends to invest £132 million into the

145 [Q269](#)

146 See, for example, Susan Mowbray ([RPE0181](#)); Ian Taylor ([RPE0170](#)); Lindsay Smith ([RPE0155](#)); Steve Scott ([RPE0090](#))

147 “Part-time season tickets for rail commuters to be trialled”, *The Guardian*, 16 September 2013

148 Written answer [28078](#), 26 February 2015

149 Written answer [29038](#), 3 March 2015

150 Campaign for Better Transport ([RPE0206](#))

151 HM Treasury, [Spending Review and Autumn Statement 2015](#), Cm 9162, November 2015, para 2.82

introduction of flexible multi-buy discount tickets. It also, however, acknowledged that to date “train operators have been slow to recognise the commercial value in innovating in this area.” All future franchise agreements would therefore include a requirement to offer “new, more flexible products that meet the needs of passengers who work or commute fewer than 5 days a week.”¹⁵²

133. The Campaign for Better Transport believed that the potential revenue effects were the root cause of inaction in this area; rail companies had been “less than helpful in implementing initiatives which they think will cost them money”. Its view was that the Government had not been “sufficiently firm in compelling them to take action”.¹⁵³

134. In many cases, part-time rail commuters are paying the same fare as those travelling to work by rail five days a week; they deserve a fairer deal. We support the Government’s manifesto commitment to the introduction of part-time season tickets, but are concerned that progress towards implementation across the rail network has been slow.

135. Given the relatively small operating margins in the sector, and the likely revenue effects of the introduction of part-time season tickets on some parts of the network, the Government’s proposed investment of £138 million from 2018 is unlikely to be sufficient to incentivise all TOCs to introduce part-time season tickets before the end of this Parliament. Requiring TOCs to introduce fairer, flexible ticketing as part of their franchising agreements is likely to be more effective, but cannot be fully implemented until all current agreements are re-let—this will not be before the mid-2020s. We recommend that the DfT produce an analysis of the likely revenue effects of the introduction of part-time season tickets across the English the rail network, broken down by each franchise area. It should do this before spring 2017. Drawing on this work, it should proceed to focus available funding on franchises where the effects will be greatest and expediting progress in this important area.

136. The rail sector’s apparent inability to get its house in order in relation to rail ticketing raises fundamental questions around the governance and financing of the railway. It is not clear that the right structures are in place to facilitate the integration between TOCs that will be required to implement network-wide smart-ticketing. The longstanding problems of opacity and unfairness in ticketing raise questions around the adequacy of governance and regulatory structures, and consumer protections. We intend to return to these questions in a forthcoming inquiry into the governance and financing of the railway, as part of our continuing “future of rail” series.

152 DfT ([RPE0166](#))

153 Campaign for Better Transport ([RPE0206](#))

6 Better information for passengers and staff

137. Rail passengers want clear and accurate information about the best route to their destination, including on other modes before and after their train journey; and, during the journey, how their journey is progressing, the cause of any delay, how long a delay is likely to last, and alternative travel options in the event of severe disruption. While there have been enhancements to the information provided to passengers in recent years—since the advent of the internet and the availability of real-time data—there is evidently substantial scope for further improvement. In this chapter we consider how this might be achieved.

Train companies' websites and online apps

138. Before making a non-routine train journey, most rail passengers refer to the relevant train company's website, National Rail Enquiries (NRE) and/or the websites of third party ticket retailers. Regular commuters also often refer to train companies' websites, apps and Twitter feeds and/or NRE, principally to check if their train is likely to be on time and from which platform their return journey is departing.

139. Passengers were largely negative about train company websites. This comment from an individual passenger was typical:

The website for Southern trains is appalling. Badly designed, inefficient, difficult to use, slow—often to the point of being unusable—and difficult, if not impossible, to navigate.¹⁵⁴

140. Some passengers complained that online apps do not always provide reliable information about which platform a train is departing from.¹⁵⁵ Several witnesses told us that externally produced websites and apps provided better and more reliable information; websites including Realtime Trains were making much better use of Network Rail's open data about the location of trains on the network and the reasons for delays, for example. This was increasingly leading to situations in which some passengers had access to better information than train company staff (see “the wider benefits of Wi-Fi”, below).¹⁵⁶

141. Jacqueline Starr told us that ATOC/RDG was engaged in work to improve websites and apps, and broader “customer experience” issues, in “conjunction with the likes of Transport Focus, the DfT and the regulator [the ORR]”. There was unanimity across TOCs that improvements to online information were required. It was ATOC/RDG's role to coordinate action across the sector, promoting a level of consistency without stifling individual innovations. Jacqueline Starr gave a commitment that ATOC/RDG would, as part of a current piece of work, “collaboratively agree what the minimum standard should be”.¹⁵⁷

142. While it is important to ensure that face-to-face help from railway staff is available to those passengers who require it, websites and apps are an increasingly important channel of information. A number of TOCs' websites and apps are poorly designed

154 Nick Tigg ([RPE0224](#))

155 See, for example, Alison Carter ([RPE0020](#)) and Oliver Green ([RPE0036](#))

156 [Q13](#) [Chris Fribbins]; Andrew Bodman ([RPE0008](#)); Matthew Laidler ([RPE0064](#))

157 [Q122](#)

and difficult for passengers to use. We therefore welcome ATOC/RDG's commitment, as part of its ongoing work to improve the passenger experience, to promote a level of consistency and minimum set of standards across all TOCs' websites and apps. *We recommend that ATOC/RDG publish a detailed plan for how it intends to take this work forward, including clear timescales for action, to facilitate our continued scrutiny of this area.*

National Rail Enquiries

143. National Rail Enquiries (NRE) is the central, GB network-wide portal for train information. Passengers' experience of using its website and app was mixed. While some users described NRE as "pretty good and reliable",¹⁵⁸ others felt that enhancements were necessary. Key concerns included that it was not always possible to track the progress of journeys in real time; that the reasons given for delays and disruption were insufficiently wide-ranging and informative; and that it did not always provide reliable information about the platform from which services were departing. Some witnesses reported that alternative websites were often more reliable.¹⁵⁹ Increasingly popular externally produced apps, such as Citymapper, provide information across a range of transport modes, enabling users to plan their end-to-end journey via a single source. NRE currently provides no information about onward travel on other modes.¹⁶⁰

144. The Rail Delivery Group, which has responsibility for NRE, insisted that a great deal of progress had been made in improving the service over the past few years, but acknowledged that more work was required. It expected further improvements "later this year", including the introduction of additional features such as a "live chat" facility and an audit of NRE's use of language, with the aim of removing confusing jargon. It was intended that NRE would become a best practice template for TOCs websites and apps.¹⁶¹

145. Jacqueline Starr, whose direct responsibilities include improving NRE, acknowledged that it had become "a little outdated" and had not evolved over recent years to meet the needs of the contemporary rail passenger. She accepted that NRE had not yet fully embraced new technologies, and was therefore lagging behind other transport websites and apps, but confirmed that ATOC/RDG's ongoing work on improving the customer experience was considering how this could now be achieved.¹⁶²

146. National Rail Enquiries (NRE) has lagged behind other transport information websites and apps in terms of its design, functionality and effective use of Network Rail's open data. We recommend ATOC/RDG publish, before the end of 2016, a clear plan, with specific timescales for action, for improvements to NRE including: more reliable and informative information about delays and disruption; more consistent provision of platform numbers from which trains are due to depart; and information about onward travel on other modes, drawing on and replicating the functionality of externally produced, multi-modal transport apps.

158 Crofton Park Transport Users Group ([RPE0168](#))

159 Andrew Bodman ([RPE0008](#)); Matthew Laidler ([RPE0064](#))

160 See www.nationalrail.co.uk and www.citymapper.com

161 RDG ([RPE0202](#))

162 [Q221](#)

The wider benefits of Wi-Fi

147. Many individual passengers saw the more extensive provision of Wi-Fi on trains as a non-essential, though welcome, enhancement to train travel—allowing business travellers, for example, to work more easily on the train and leisure travellers to use the internet and social media during their journey. These benefits of productivity, or simply a more enjoyable travel experience, were broadly seen as less important than the primary objective of providing a more reliable service with more frequent and punctual trains.¹⁶³

148. Expert witnesses, however, noted that the two objectives were not mutually exclusive. They emphasised that Wi-Fi offered the potential to improve the flow of information via websites and online apps, not only to passengers but also to train company staff. Reliable Wi-Fi on the railway had the potential to ensure that on-board staff had access to real-time information, and could relay this to passengers. Railfuture reported that:

We still unfortunately have examples of staff having to hide away and lock themselves in their room because they do not have the information to give passengers. Someone waves a tablet in front of them and says, “Look, Realtime Trains tells me that the train is further down the track and will be here in 20 minutes,” but staff do not know that. [...] Getting the [Wi-Fi] infrastructure in place for staff and passengers will be a key thing to start thinking about now and building for the future.¹⁶⁴

149. Hull Trains recently became the first TOC in the UK to harness digital technology to provide on-board, real-time information screens. These show not only the real-time progress of the train, including “stopping patterns, expected arrival times, delays and delay reasons”, but also live departure board information at the next station, so that passengers can plan onward journeys.¹⁶⁵

150. Virgin Trains emphasised barriers to the wider provision of reliable Wi-Fi, which required substantial investment. It was investing in improving the speed and reliability of Wi-Fi on both its east and west coast services, but it was currently “limited by the total bandwidth we can provide.” It argued that the relatively short-term durations of franchise agreements made it “difficult to commercially justify” the substantial investment in trackside infrastructure necessary to substantially improve the situation. It argued that Network Rail, the DfT and the RDG ought to take joint responsibility and provide greater leadership in this area.¹⁶⁶

151. Martin Frobisher, Network’s Rail’s Route Managing Director, London and North West, told us that there were essentially two ways of delivering network-wide, or at least much broader, Wi-Fi coverage. One was to install a “specific railway phone system” compatible with a 4G or 5G signal; this would require a “massive investment”. The alternative would be for TOCs to work with mobile communications companies to “fill in

163 Sherborne Transport Action Group ([RPE0174](#))

164 [Q13](#) [Chris Fribbins]

165 Hull Trains, ‘[Hull Trains passengers to benefit from UK-first on-board information screens](#)’, accessed 12 September 2016

166 Virgin Trains ([RPE0204](#))

the black spots”. His view was that, while it provided less of a guarantee of network-wide coverage, this option had the benefit of requiring far less taxpayer investment, and would better address future “obsolescence issues”. Chiltern Railways was pursuing this strategy.¹⁶⁷

152. The collective view of the rail industry, as expressed by RDG, was that “the best way to fund [the expansion of Wi-Fi coverage] is either through bilateral agreements and funding grants from DfT, or through specification in franchise agreements.”¹⁶⁸ Martin Frobisher confirmed that the DfT was commissioning a number of trials, and working with TOCs to identify the best solutions.¹⁶⁹

153. The benefits of more extensive and reliable Wi-Fi on the railways are manifold, including: more enjoyable journeys for leisure passengers; more productive use of journey time by business passengers; and more reliable and up-to-date information for passengers and train company staff, with the potential to bring about a transformative improvement in the provision of information during disruption. We welcome the DfT’s commissioning of trials to identify the best solutions. The sector now needs a clear plan for investment in this area. We recommend that the DfT, Network Rail and ATOC/RDG work collaboratively to produce a strategic plan for the implementation of extensive and reliable Wi-Fi across the rail network. We recommend that the Department publish such a plan by summer 2017.

167 [Q247](#) [Dave Penney]

168 RDG ([RPE0202](#))

169 [Q246](#)

Conclusions and recommendations

Thameslink, Southern and Great Northern franchise: what went wrong?

1. We welcome the Department's acknowledgement that, in hindsight, it was a mistake to amalgamate four existing railway brands into one huge, diverse and highly complex rail franchise delivered via a single operator, on a part of the network undergoing very substantial infrastructure works. The sheer size and complexity of the franchise has seriously hindered effective monitoring and enforcement of the contract. Our current rail franchising inquiry will consider how this came about, and the broader lessons for the structuring of future franchises. (Paragraph 16)
2. The effects on Thameslink, Southern and Great Northern's (TSGN) passengers of the major infrastructure works entailed in the Thameslink Programme, particularly the redevelopment of London Bridge station, were very substantially underestimated. The greater than anticipated effects have been a key cause of the unacceptably poor service experienced by many of TSGN's passengers. The planning assumptions supplied to the operator by the DfT were wildly inaccurate, which raises serious questions about the Department's competence to run an effective franchising programme. We are continuing to examine these broader issues in our current rail franchising inquiry. (Paragraph 22)
3. *We recommend that the Department for Transport (DfT) lead a review, in conjunction with Network Rail, the Association of Train Operating Companies (ATOC) and an appropriate passenger group, of the lessons learned for maintaining acceptable levels of passenger service from the planning of the Thameslink Programme. The review should ascertain how the planning assumptions for the franchise were so poorly forecast. The report should set out a clear plan to better anticipate and avoid the unacceptably severe levels of disruption to passenger rail services during future major infrastructure works. We recommend that the review be undertaken as a matter of urgency and report its findings before summer 2017.* (Paragraph 23)
4. It is unacceptable that Govia Thameslink Railway (GTR) was awarded by far the busiest rail franchise in the UK only to immediately discover that it had insufficient staff to deliver the contracted rail services. This reveals serious inadequacies in the process for handing over a franchise from one franchisee to another. Any potential staffing issues should have been clearly foreseeable. (Paragraph 30)
5. *We welcome the Minister's intention to consider improvements to the processes for handing over rail franchises from one operator to another, ensuring that the new operator has access to the robust information it needs to run an effective service for passengers from day one of its operations. We recommend that the Government set out in its response to this Report its analysis of the problems at handover of the current TSGN franchise and the work it plans to undertake to ensure that these problems are avoided in future franchise handovers, particularly in relation to ensuring appropriate staffing levels at the commencement of operations. We will monitor progress towards improving franchise handover processes in our ongoing inquiry into rail franchising.* (Paragraph 31)

6. The rail unions' opposition to Driver Only Operation (DOO), on both safety and staffing grounds, is long-standing and well known. The industry and Government's commitment to it from an efficiency perspective has long been equally apparent. *Whilst the dispute can ultimately only be resolved through negotiation between GTR and the RMT, given the Department's unusually direct involvement in the TSGN franchise it should take a greater degree of responsibility for fostering productive negotiations. We therefore urge the new Rail Minister and Secretary of State to engage more actively and substantively with the rail unions' safety and workforce-related concerns in relation to the expansion of DOO on the TSGN franchise, as a matter of urgency. Whilst the RMT rightly has an interest in ensuring the safety of its members and passengers, responsibility for monitoring the safety of the railway lies with the RSSB and the ORR—both of these organisations have broadly endorsed the safety of DOO. Prior to, and during, the RMT's industrial action on GTR services over the introduction of DOO, the RMT's members have continued to perform their functions on DOO trains across parts of the UK without industrial action. Given the official conclusions of the RSSB and the ORR it is of concern that industrial action is continuing over this issue. The failure of GTR and the RMT to agree to a set of circumstances in which a DOO train can be operational is deeply regrettable. We will return to this issue as part of our ongoing "future of rail" inquires. (Paragraph 52)*
7. *GTR, the RMT and the Government are each to some extent culpable in the current damaging industrial dispute that, in the main, adversely affects passengers. The impact has been catastrophic for passengers and local communities covered by GTR services. We urge GTR, the RMT and the Government to take on board the criticisms and recommendations made in this Report, and each party to consider further compromises to bring this matter to a rapid resolution. It would be unacceptable for any party to instead use sections of this Report to emphasise the shortcomings of another. (Paragraph 53)*
8. *We are concerned that no official impact assessment has been made of the potential effects of DOO on disabled people's access to the railway. We recommend the DfT and the Association of Train Operating Companies (ATOC) jointly commission research into the potential effects of DOO on the "turn up and go" accessibility of the railway to disabled people who require assistance getting on and off trains. The Department should draw on this research to issue guidance to train operating companies on the measures that should be taken to mitigate potential detrimental effects on disabled people's access. It should ensure that actions are taken to guarantee that disabled rail passengers receive the support to which they are entitled. The research should be conducted, and guidance published, before summer 2017. (Paragraph 56)*

TSGN—lessons for transparency and accountability

9. The DfT has a duty to hold train operating companies to account for poor performance; passengers expect and deserve this. The answers provided to us by very senior officials in oral evidence, and the Department's subsequent written submissions, however, give us little confidence that it has a firm grip on the monitoring of GTR's contractual obligations. (Paragraph 72)

10. Until we recently managed, after several attempts and considerable time and effort, to extract information from the Department, GTR's contractual performance benchmarks, and data relating to GTR's performance against them, were entirely opaque. It is completely unacceptable that changes to the contractual benchmarks were not published in an open and transparent way. It is also unacceptable that the data required to scrutinise GTR's performance against its contractual benchmarks are not made readily available. The Department's evasive and opaque answers to our questions hindered our inquiry and delayed publication of this Report. (Paragraph 73)
11. *The DfT must take urgent action to increase the transparency of GTR's performance against its contractual obligations. In the interests of open and transparent scrutiny, we recommend that the Department immediately require GTR to publicly report its performance against each of its contractual performance measures in each Reporting Period since the commencement of the current franchise and on an ongoing basis.* (Paragraph 74)
12. *Industrial action by the RMT since April 2016 has had a substantial exacerbating effect on GTR's poor performance. GTR claims that unofficial industrial action necessitated the implementation of a revised timetable, which appears to have contributed to GTR exceeding the contractual default level for cancellations. The Department must carefully and thoroughly assess GTR's claims for force majeure. We accept that assessment of these claims, particularly where they relate to alleged unofficial industrial action, will be complex and painstaking, involving verification of train crew absences and the actions taken by GTR to mitigate the effects on services. It is unacceptable, however, that the process is being delayed by GTR's tardiness in supplying the information required to support its force majeure claims. It is also unacceptable that the Department does not intend to conclude its assessment of GTR's force majeure claims until the current industrial dispute is resolved. There seems little prospect of resolution in the short term; the union has recently announced further strike dates up to and including 8 December 2016. It is essential that the Department provide clarity about whether GTR is in default, as a matter of urgency. We therefore recommend the Department expedite its assessments of GTR's force majeure claims in the three Reporting Periods to 20 August 2016. GTR should be given a deadline by which to supply the necessary information. Given that the Department requires six to eight weeks to process each claim, we recommend it come to a decision on whether GTR is in default by early November 2016.* (Paragraph 75)
13. We note the Secretary of State's recent announcement of a £20 million package of measures, including the appointment of Chris Gibb to lead a new project board to devise a plan to produce a rapid improvement to Southern Railway's services. Whether a £20 million fund will be sufficient to make a real difference remains to be seen. While the Secretary of State's intervention might indicate a renewed sense of urgency on the part of the Department, passengers may view it as "too little, too late", given that they have been experiencing unacceptably poor service for more than a year. We look forward to seeing the new project board's plan, and hope that it can swiftly bring about the positive change that passengers deserve. We will continue to closely scrutinise progress. (Paragraph 80)

14. *We ask that the Department, in response to this Report, set out in detail: how the recently announced £20 million will be allocated to address the problems on Southern Railway; whether the £20 million is new, additional funding, or from what part of the Department's budget it has been reallocated; the precise outputs it expects the £20 million to achieve; and a more precise timetable for the publication of the project board's plan and the implementation of its actions. This money should ultimately be recovered from the operator. (Paragraph 81)*
15. *Passengers on the TSGN network deserve a much more reliable service. If GTR is in default, it is incumbent on the Department to take the franchise back in house and then to find one or more operators that can improve the situation. It is simply not credible for the DfT to continue to claim that "no other operator" could improve the situation; if it is the case, it is a consequence of the structuring of the franchise, for which the Department is ultimately accountable. If GTR is shown to be in default, the Department must take the opportunity to find a way of delivering more reliable services for passengers. The DfT must have a workable enforcement policy for all rail franchises. *The DfT must have a workable enforcement policy for all rail franchises. There must be a clear and credible threat to restructure or terminate GTR's franchise agreement should it default on its contractual obligations. We recommend that the DfT respond to this report with a clear statement of its capability to step in as operator of last resort, as it is legally obliged to do in the event of default. We recommend the Department work up plans for this contingency, which would enable it to break up the franchise and transfer some or all operations to one or more other operators. The Department should, for example, be working with Transport for London (TfL) to develop plans, in the event of default, for the transfer of Southern's suburban rail services to TfL before the scheduled end of GTR's agreement in 2021. (Paragraph 82)**
16. *Given the scale and prolonged nature of disruption on parts of the TSGN franchise, it is unacceptable that a standard delay/repay scheme, in which the onus is on the passenger to make individual claims each time they are delayed, continues to apply. Alternative arrangements should have been made as soon as it became clear that passengers were going to experience a prolonged period of severe disruption. The then Prime Minister's commitment, given in June 2016, to an enhanced compensation package was therefore welcome, if somewhat belated, but we are concerned that no such package has yet been announced. *We recommend that the Government immediately put in place an automatic compensation scheme, in which TSGN's passengers are refunded directly, without the necessity to make a claim. (Paragraph 88)**
17. *The Government's recent decision not to extend the exemption for mainline rail services from the Consumer Rights Act 2015 is welcome. We intend to explore the implications of this decision in more detail, alongside steps being taken to strengthen TOCs' delay-repay compensation schemes, later in this Parliament. (Paragraph 89)*

Passenger satisfaction and TOC performance measures

18. *The National Rail Passenger Survey (NRPS) is long-established and methodologically sound, but it could and should be improved to more accurately reflect the everyday*

experience of passengers. We therefore welcome the proposed approach to be tested in relation to the new Greater Anglia franchise, which we intend to further scrutinise in our broader inquiry into franchising. (Paragraph 102)

19. The GB-wide NRPS's principal weakness is that it is a relatively narrow "snapshot", carried out in two tranches per year, of passengers' satisfaction with a particular journey. Steps should be taken to address this, while maintaining the NRPS's key strength—provision of reliable time-series data by which to identify trends and compare TOC performance, disaggregated by a number of logical categories. *We recommend that the GB-wide NRPS be carried out at least quarterly, and that the DfT fund Transport Focus to do this. We further recommend that Transport Focus take careful steps to broaden the NRPS's sample, including by piloting the use of online surveys and surveying the views of non-users of rail travel, including those who were unable to board a train due to overcrowding.* (Paragraph 103)
20. The current Public Performance Measure (PPM) does not reflect the real passenger experience, and produces perverse incentives—most obviously, missing out intermediate stops to make up time in reaching the train's destination—that often work against the interests of many passengers. This is unacceptable and must stop. (Paragraph 107)
21. *We recommend PPM be abandoned as the headline measure of TOC performance, and the DfT work with Network Rail and Transport Focus to establish updated "right-time" measures, which take account of punctuality at all stops on a train's journey. We recommend that a replacement for PPM be implemented by summer 2017.* (Paragraph 108)
22. Persistently high levels of overcrowding on particular services on some parts of the rail network are a concern for many passengers. The current official measure of overcrowding, the DfT's percentage of passengers in excess of capacity (PiXC) statistics, illustrates the problem only in broad average terms, in 11 city regions. In addition, the DfT identifies the "top ten" most overcrowded individual train services. There is a very strong case for more clearly identifying, and taking action to alleviate, substantial overcrowding on specific services across the network. *We recommend the DfT review and redesign its PiXC statistics, with a view to more clearly identifying particular train services operating at substantially over capacity. The Department should draw on these statistics to develop a more coherent strategy for tackling overcrowding, including by incentivising TOCs, through franchise agreements, to alleviate the worst examples of persistent overcrowding on particular services across the rail network.* (Paragraph 112)

Simpler, more transparent and fairer ticketing

23. Unfairness, complexity and a lack of transparency in the rail ticketing system have been apparent for at least a decade. The incremental progress towards addressing these problems has been far too slow. We agree with the Minister that "passengers deserve better". The time has come for a more rigorous and coordinated approach, to ensure change across the network. The time has come for a more rigorous and

coordinated approach, to ensure change across the network. *The Department and the Office of Rail and Road must more rigorously use their respective franchising and regulatory powers, and work together to address:*

- *use of incomprehensible jargon in relation to rail tickets, including implementation of clear and consistent terminology in relation to ticketing across the rail network;*
- *the availability of cheaper “split-ticketing” options only to those passengers who are “in the know” or prepared to undertake onerous research; and*
- *ticket vending machines that are confusing and do not always offer the best value fares.*

We recommend that the Department and the ORR publish a joint strategy to address each of these problems, or take enforcement action against TOCs who fail to comply with relevant codes of practice, rail licence conditions, franchise agreements or consumer law. We recommend that the joint strategy be published by April 2017, and that it include a clear timetable for full implementation across the rail network. (Paragraph 125)

24. There has been progress on smart-ticketing, with a number of TOCs introducing their own systems, but we are concerned at the lack to date of a coordinated, industry-wide solution. We therefore welcome the Rail Delivery Group’s (RDG) announcement of a network-wide smart-ticketing plan. *We recommend the RDG immediately publish details of its smart-ticketing plan, including a clear timetable for delivery. This must not be further postponed; we expect to see an implementation timetable for which TOCs can be held publicly to account. (Paragraph 129)*
25. In many cases, part-time rail commuters are paying the same fare as those travelling to work by rail five days a week; they deserve a fairer deal. We support the Government’s manifesto commitment to the introduction of part-time season tickets, but are concerned that progress towards implementation across the rail network has been slow. (Paragraph 134)
26. Given the relatively small operating margins in the sector, and the likely revenue effects of the introduction of part-time season tickets on some parts of the network, the Government’s proposed investment of £138 million from 2018 is unlikely to be sufficient to incentivise all TOCs to introduce part-time season tickets before the end of this Parliament. Requiring TOCs to introduce fairer, flexible ticketing as part of their franchising agreements is likely to be more effective, but cannot be fully implemented until all current agreements are re-let—this will not be before the mid-2020s. *We recommend that the DfT produce an analysis of the likely revenue effects of the introduction of part-time season tickets across the English the rail network, broken down by each franchise area. It should do this before spring 2017. Drawing on this work, it should proceed to focus available funding on franchises where the effects will be greatest and expediting progress in this important area. (Paragraph 135)*
27. The rail sector’s apparent inability to get its house in order in relation to rail ticketing raises fundamental questions around the governance and financing of the railway. It is not clear that the right structures are in place to facilitate the integration between TOCs that will be required to implement network-wide smart-ticketing.

The longstanding problems of opacity and unfairness in ticketing raise questions around the adequacy of governance and regulatory structures, and consumer protections. We intend to return to these questions in a forthcoming inquiry into the governance and financing of the railway, as part of our continuing “future of rail” series. (Paragraph 136)

Better information for passengers and staff

28. While it is important to ensure that face-to-face help from railway staff is available to those passengers who require it, websites and apps are an increasingly important channel of information. A number of TOCs’ websites and apps are poorly designed and difficult for passengers to use. We therefore welcome ATOC/RDG’s commitment, as part of its ongoing work to improve the passenger experience, to promote a level of consistency and minimum set of standards across all TOCs’ websites and apps. *We recommend that ATOC/RDG publish a detailed plan for how it intends to take this work forward, including clear timescales for action, to facilitate our continued scrutiny of this area.* (Paragraph 142)
29. National Rail Enquiries (NRE) has lagged behind other transport information websites and apps in terms of its design, functionality and effective use of Network Rail’s open data. *We recommend ATOC/RDG publish, before the end of 2016, a clear plan, with specific timescales for action, for improvements to NRE including: more reliable and informative information about delays and disruption; more consistent provision of platform numbers from which trains are due to depart; and information about onward travel on other modes, drawing on and replicating the functionality of externally produced, multi-modal transport apps.* (Paragraph 146)
30. The benefits of more extensive and reliable Wi-Fi on the railways are manifold, including: more enjoyable journeys for leisure passengers; more productive use of journey time by business passengers; and more reliable and up-to-date information for passengers and train company staff, with the potential to bring about a transformative improvement in the provision of information during disruption. We welcome the DfT’s commissioning of trials to identify the best solutions. The sector now needs a clear plan for investment in this area. *We recommend that the DfT, Network Rail and ATOC/RDG work collaboratively to produce a strategic plan for the implementation of extensive and reliable Wi-Fi across the rail network. We recommend that the Department publish such a plan by summer 2017.* (Paragraph 153)

Formal Minutes

Monday 10 October 2016

Members present:

Mrs Louise Ellman, in the Chair

Robert Ffello	Iain Stewart
Mark Menzies	Graham Stringer
Karl McCartney	Martin Vickers
Will Quince	

Draft Report (*The future of rail: Improving the rail passenger experience*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 153 read and agreed to.

Summary agreed to.

Resolved, That the Report be the Sixth Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Monday 17 October at 4.00pm]

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Monday 6 June 2016

Question number

Neil Middleton, Chairman, Association of Public Transport Users, **Stephen Joseph OBE**, Executive Director, Campaign for Better Transport, and **Chris Fribbins**, Head of Passenger Group, Railfuture

[Q1–36](#)

Tim Bellenger, Director, Policy and Investigation, London TravelWatch, **Joanna Whittington**, Chief Executive, Office of Rail and Road, **Anthony Smith**, Chief Executive, Transport Focus, and **Alex Neill**, Director of Policy, Campaigns and Communications, Which?

[Q37–83](#)

Tuesday 5 July 2016

Mick Cash, General Secretary, and **Paul Cox**, South East Regional Organiser, National Union of Rail, Maritime and Transport Workers (RMT)

[Q84–137](#)

Dyan Crowther, Chief Operating Officer, and **Charles Horton**, Chief Executive Officer, Govia Thameslink Railway

[Q138–210](#)

Monday 18 July 2016

Jacqueline Starr, Managing Director, Customer Experience, Rail Delivery Group, **Dave Penney**, Managing Director, Chiltern Railways, **Martin Frobisher**, Route Managing Director, London and North West, Network Rail, and **Richard Scott**, Executive Director of Corporate Affairs, Virgin Trains

[Q211–311](#)

Wednesday 20 July 2016

Paul Maynard MP, Parliamentary Under-Secretary of State for Transport, **Bernadette Kelly CB**, Director General, Rail Group, and **Peter Wilkinson**, Managing Director, Passenger Services, Department for Transport

[Q312–413](#)

Published written evidence

The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

RPE numbers are generated by the evidence processing system and so may not be complete.

- 1 Adam Martin-Lawrence ([RPE0125](#))
- 2 Allan Eagle ([RPE0130](#))
- 3 Amanda Brace ([RPE0243](#))
- 4 Anastasia Saward ([RPE0140](#))
- 5 Andrew Crook ([RPE0154](#))
- 6 Angel Trains ([RPE0184](#))
- 7 Anna Saggerson ([RPE0135](#))
- 8 Anssi Lampola ([RPE0070](#))
- 9 APTU (The Association of Public Transport Users) ([RPE0191](#))
- 10 ASLEF ([RPE0100](#))
- 11 ASLEF ([RPE0246](#))
- 12 Bring Back British Rail ([RPE0196](#))
- 13 Campaign for Better Transport ([RPE0206](#))
- 14 Chris Cox ([RPE0005](#))
- 15 Christopher Walker ([RPE0153](#))
- 16 Claire Wood ([RPE0239](#))
- 17 Community Transport Association ([RPE0190](#))
- 18 Crofton Park Transport Users Group ([RPE0168](#))
- 19 David Cooper-Smith ([RPE0251](#))
- 20 David Robson ([RPE0060](#))
- 21 Department for Transport ([RPE0166](#))
- 22 Department for Transport ([RPE0250](#))
- 23 Disabled Persons Transport Advisory Committee ([RPE0229](#))
- 24 Dr Caroline Lucas ([RPE0189](#))
- 25 Dr James Pritchard ([RPE0200](#))
- 26 Dr Jochen Brandt ([RPE0177](#))
- 27 Dr John Mitchell ([RPE0232](#))
- 28 Dr Mathew Philip ([RPE0081](#))
- 29 Dr Neil Walkinshaw ([RPE0014](#))
- 30 Dr Nigel Brown ([RPE0033](#))
- 31 Dr Oliver Darlington ([RPE0143](#))
- 32 Dr Pam Wortley ([RPE0030](#))
- 33 Dr Tom Haines ([RPE0131](#))

- 34 Ed Aldridge ([RPE0129](#))
- 35 Edward Swales ([RPE0211](#))
- 36 Emma Sullivan ([RPE0203](#))
- 37 Erika Smith ([RPE0127](#))
- 38 FirstGroup plc ([RPE0208](#))
- 39 Francis Field ([RPE0087](#))
- 40 FRECCLES-Friends of Eccles Station ([RPE0007](#))
- 41 Fred Rodgers ([RPE0137](#))
- 42 Friends of Sussex Hospices ([RPE0091](#))
- 43 Gareth Richards ([RPE0003](#))
- 44 Helen Hart ([RPE0012](#))
- 45 Iain Mitchell ([RPE0082](#))
- 46 Ian Brown ([RPE0182](#))
- 47 Ian Taylor ([RPE0170](#))
- 48 Independent Assistance Dog Agency ([RPE0205](#))
- 49 James Taylor ([RPE0103](#))
- 50 James Withey ([RPE0059](#))
- 51 Jamie Johnson ([RPE0219](#))
- 52 Jeremy McKinley ([RPE0026](#))
- 53 Jo Lyons ([RPE0042](#))
- 54 John Cartledge ([RPE0062](#))
- 55 John Thursfield ([RPE0071](#))
- 56 John White ([RPE0076](#))
- 57 Jonathan Mumford ([RPE0145](#))
- 58 Judith Phillips ([RPE0139](#))
- 59 Julian Taylor ([RPE0052](#))
- 60 Kate Magic ([RPE0097](#))
- 61 Katie Morris ([RPE0099](#))
- 62 Katy Treverton ([RPE0002](#))
- 63 Lance Pierson ([RPE0164](#))
- 64 Lawrence Simpson ([RPE0188](#))
- 65 Lindsay Smith ([RPE0155](#))
- 66 Lindsay Viljoen ([RPE0234](#))
- 67 London Councils ([RPE0185](#))
- 68 London TravelWatch ([RPE0134](#))
- 69 London TravelWatch ([RPE0241](#))
- 70 Manek Dubash ([RPE0107](#))
- 71 Mark Cooper ([RPE0150](#))

- 72 Martyn Clark ([RPE0227](#))
- 73 Mary Sansom ([RPE0179](#))
- 74 Michael Burbidge ([RPE0217](#))
- 75 Miss Christine Gale ([RPE0157](#))
- 76 Miss Harriet de Beaufort-Suchlick ([RPE0040](#))
- 77 Miss Jo Waggott ([RPE0236](#))
- 78 Miss Joannafey Mills ([RPE0067](#))
- 79 Miss Natalie Lamb ([RPE0016](#))
- 80 Mr Adam Duckenfield ([RPE0083](#))
- 81 Mr Alasdair Lowrey ([RPE0089](#))
- 82 Mr ALEX BUCHAN ([RPE0123](#))
- 83 Mr Alexander Millett ([RPE0187](#))
- 84 Mr Andrew Bodman ([RPE0008](#))
- 85 Mr Andrew Harley ([RPE0214](#))
- 86 Mr Andrew Hinder ([RPE0119](#))
- 87 Mr Andrew Layton ([RPE0111](#))
- 88 Mr Andrew Saunders ([RPE0158](#))
- 89 Mr Antony Johnson ([RPE0073](#))
- 90 Mr Arun Thomas ([RPE0065](#))
- 91 Mr Ashley Frank ([RPE0173](#))
- 92 Mr Barry Knock ([RPE0001](#))
- 93 Mr Ben Niblett ([RPE0069](#))
- 94 Mr Christopher Morton ([RPE0136](#))
- 95 Mr Clive Howell ([RPE0133](#))
- 96 Mr Colin Smith ([RPE0169](#))
- 97 Mr Dallas Roulston ([RPE0047](#))
- 98 Mr David Thomas ([RPE0045](#))
- 99 Mr David Wood ([RPE0013](#))
- 100 Mr Dominic Clark ([RPE0038](#))
- 101 Mr Duncan Neat ([RPE0207](#))
- 102 Mr Gary Fawle ([RPE0231](#))
- 103 Mr Gerard Deegan ([RPE0124](#))
- 104 Mr Grahame Mitchell ([RPE0041](#))
- 105 Mr Iain Kernaghan ([RPE0080](#))
- 106 Mr Ian Clark ([RPE0021](#))
- 107 Mr Ian M Murray ([RPE0116](#))
- 108 Mr James Baker ([RPE0186](#))
- 109 Mr James Miller ([RPE0029](#))

- 110 Mr John Gatehouse ([RPE0063](#))
- 111 Mr John Hampson ([RPE0141](#))
- 112 Mr John Lambert ([RPE0104](#))
- 113 Mr John Wardley ([RPE0117](#))
- 114 Mr Jon Morris ([RPE0161](#))
- 115 Mr Jonathan Barnes ([RPE0057](#))
- 116 Mr Keith Gooderson ([RPE0113](#))
- 117 Mr Ken Grocott ([RPE0149](#))
- 118 Mr Leslie Ong ([RPE0032](#))
- 119 Mr Leslie Simpson ([RPE0110](#))
- 120 Mr Malcolm Wright ([RPE0121](#))
- 121 Mr Martin Green ([RPE0051](#))
- 122 Mr Matthew Laidler ([RPE0064](#))
- 123 Mr Nick Tigg ([RPE0224](#))
- 124 Mr Oliver Green ([RPE0036](#))
- 125 Mr Paul Meek ([RPE0054](#))
- 126 Mr Peter Braben ([RPE0015](#))
- 127 Mr Peter Payne ([RPE0066](#))
- 128 Mr Richard Grimshaw ([RPE0144](#))
- 129 Mr Robert Newton ([RPE0043](#))
- 130 Mr Shouvik Datta ([RPE0222](#))
- 131 Mr Simon Lowe ([RPE0180](#))
- 132 Mr Stephen Kent ([RPE0027](#))
- 133 Mr Stephen Miller ([RPE0031](#))
- 134 Mr Stuart Blackburn ([RPE0109](#))
- 135 Mr Tim Blostone ([RPE0048](#))
- 136 Mr Tony Waite ([RPE0011](#))
- 137 Mr Upin Dattani ([RPE0215](#))
- 138 Mrs Annabel Allen ([RPE0156](#))
- 139 Mrs Barbara Snell ([RPE0039](#))
- 140 Mrs Claire Clifford ([RPE0046](#))
- 141 Mrs Claire Henderson ([RPE0009](#))
- 142 Mrs Gaye Cummins ([RPE0055](#))
- 143 Mrs Michelle Christensen ([RPE0101](#))
- 144 Mrs Sandra Hurst ([RPE0167](#))
- 145 Ms Alison Carter ([RPE0020](#))
- 146 Ms Carol Major ([RPE0078](#))
- 147 Ms Caroline Clark ([RPE0142](#))

- 148 Ms Chris Hassall ([RPE0178](#))
- 149 Ms Dawn Robinson-Walsh ([RPE0095](#))
- 150 Ms Gemma Burford ([RPE0088](#))
- 151 Ms Janet Kay ([RPE0225](#))
- 152 Ms Lucy Raby ([RPE0237](#))
- 153 Ms Mary Barton ([RPE0128](#))
- 154 Ms Sue Fasquelle ([RPE0118](#))
- 155 Ms Susan Mowbray ([RPE0181](#))
- 156 MTR Corporation ([RPE0195](#))
- 157 Neil Barstow ([RPE0106](#))
- 158 Newcastle University ([RPE0093](#))
- 159 Newcastle upon Tyne local group of the Tyne and Wear Public Transport User Group ([RPE0228](#))
- 160 Nick Lester-Davis ([RPE0151](#))
- 161 Nigel Harwood ([RPE0010](#))
- 162 Noam Bleicher ([RPE0056](#))
- 163 Noora Vainio ([RPE0210](#))
- 164 Office of Rail and Road ([RPE0218](#))
- 165 Patricia Auty ([RPE0092](#))
- 166 Paul Hogan ([RPE0072](#))
- 167 Paul Hollinghurst ([RPE0098](#))
- 168 Paul Hoskin ([RPE0077](#))
- 169 Paul Hutchins ([RPE0147](#))
- 170 Paul Sotiriou ([RPE0105](#))
- 171 Paul Sparks ([RPE0213](#))
- 172 Pete Brace ([RPE0148](#))
- 173 Peter Bolwell ([RPE0096](#))
- 174 Peter Cox ([RPE0112](#))
- 175 Polly Maloney ([RPE0175](#))
- 176 Professor Christopher Baker ([RPE0022](#))
- 177 Professor Glenn Lyons ([RPE0242](#))
- 178 Rail Delivery Group ([RPE0202](#))
- 179 Railfuture ([RPE0138](#))
- 180 Ralph Lucas ([RPE0120](#))
- 181 RMT ([RPE0244](#))
- 182 RMT ([RPE0247](#))
- 183 RMT ([RPE0248](#))
- 184 RMT ([RPE0252](#))

- 185 RMT (supplementary evidence) ([RPE0245](#))
- 186 Rob Lloyd ([RPE0085](#))
- 187 Rosie Cardiff ([RPE0079](#))
- 188 Rui Cardoso ([RPE0037](#))
- 189 Samantha Boyd ([RPE0017](#))
- 190 Sarah Clifford ([RPE0053](#))
- 191 Sasha Andrews ([RPE0049](#))
- 192 Sherborne Transport Action Group ([RPE0174](#))
- 193 Simon Hetzel ([RPE0230](#))
- 194 Simon Lowe ([RPE0028](#))
- 195 Stephen Wilson ([RPE0162](#))
- 196 Steve Scott ([RPE0090](#))
- 197 Steven Harrison ([RPE0094](#))
- 198 Stuart McSkimming ([RPE0165](#))
- 199 Susan Bentley ([RPE0075](#))
- 200 Susie Green ([RPE0023](#))
- 201 Teresa Preece ([RPE0126](#))
- 202 Terry Miller ([RPE0216](#))
- 203 The Chartered Institute of Logistics and Transport ([RPE0199](#))
- 204 Therese Holmes ([RPE0115](#))
- 205 Tim Ivorson ([RPE0183](#))
- 206 Tina Bell ([RPE0194](#))
- 207 Tom Davin ([RPE0226](#))
- 208 Tom Houlbrook ([RPE0160](#))
- 209 Tonbridge Line Commuters ([RPE0176](#))
- 210 Trainline.com Limited ([RPE0201](#))
- 211 Transport Focus ([RPE0198](#))
- 212 Transport Focus ([RPE0238](#))
- 213 Transport Focus ([RPE0249](#))
- 214 Transport for London ([RPE0233](#))
- 215 TravelWatch NorthWest ([RPE0192](#))
- 216 Tyne and Wear Public Transport Users Group ([RPE0163](#))
- 217 Urban Transport Group ([RPE0209](#))
- 218 V J Slayden ([RPE0050](#))
- 219 Vicky Ayech ([RPE0102](#))
- 220 Virgin Trains ([RPE0204](#))
- 221 West Midlands Campaign for Better Transport ([RPE0221](#))
- 222 Wincenty Dulkowski ([RPE0068](#))

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website.

The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2015–16

First Report	Surface transport to airports	HC 516 (HC 995)
Second Report	Road traffic law enforcement	HC 518 (HC 132)
Third Report	Airport expansion in the South East	HC 784
First Special Report	Investing in the railway: Network Rail Response to the Committee's Seventh Report of Session 2014–15	HC 347
Second Special Report	Motoring of the future: Government Response to the Committee's Eighth Report of Session 2014–15	HC 349
Third Special Report	Smaller airports: Government Response to the Committee's Ninth Report of Session 2014–15	HC 350
Fourth Special Report	Strategic river crossings: Government Response to the Committee's Tenth Report of Session 2014–15	HC 348
Fifth Special Report	Strategic river crossings: Greater London Authority Response to the Committee's Tenth Report of Session 2014–15	HC 558
Sixth Special Report	Surface transport to airports: Government Response to the Committee's First Report of Session 2015–16	HC 995

Session 2016–17

First Report	Operation Stack	HC 65
Second Report	All lane running	HC 63
Third Report	Volkswagen emissions scandal and vehicle type approval	HC 69
Fourth Report	Skills and workforce planning in the road haulage sector	HC 68
Fifth Report	All lane running: Government response	HC 654
First Special Report	Road traffic law enforcement: Government Response to the Committee's Second Report of Session 2015–16	HC 132 (HC 518)
Second Special Report	Airport expansion in the South East: Government response to the Committee's Third Report of Session 2015–16	HC 564
Third Special Report	Operation Stack: Government response to the Committee's First Report of Session 2016–17	HC 602